

City Clerk File No. Ord. 17-086

Agenda No. 3.A 1st Reading

Agenda No. 4.A. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-086

TITLE: TITLE: **AN ORDINANCE BY THE MUNICIPAL COUNCIL OF
THE CITY OF JERSEY CITY VACATING A PORTION OF FREEMAN
AVENUE AND FIELD AVENUE, JERSEY CITY, NEW JERSEY.**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City (the "City") does possess rights-of-way through all public streets, thoroughfares and sidewalks located within the City; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:67-1 et seq. and N.J.S.A. 40-A:12-5 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the City; and

WHEREAS, St. George and St. Shenuda Church Patriarchate of Alexandria ("Petitioner") has filed a Petition with the Municipal Council of the City of Jersey City requesting the vacation of portions of Freeman Avenue as Field Avenue, which parcels are more particularly described by the metes and bounds descriptions and depicted on the attached Right of Way Exhibit, attached as Exhibit "A" to the Ordinance; and

WHEREAS Freeman Avenue and Field Avenue are located within the City of Jersey City, County of Hudson, State of New Jersey; and

WHEREAS, there is no municipal or public need for the portions of Freeman Avenue and Field Avenue and the Petitioner now desires those portions of both rights of way to be vacated; and

WHEREAS, the area being vacated on both streets is no longer necessary for the general public use, as it is presently being utilized as an illegal dumping ground for trash and debris and further, the rights of the public will not be injuriously or adversely affected by the requested vacation, and

WHEREAS, such vacation will enhance the redevelopment of this portion of the City by intergrating the vacated rights of way into the Petitioner's project which will advance public safety and welfare; and

WHEREAS, the City is authorized to vacate those portions of Freeman Avenue and Field Avenue as set forth as Exhibit "A" and

WHEREAS, Petitioner is under contract to purchase all of the property on both sides of Freeman Avenue (Block 11801, Lot 2; Block 11801, Lot 4; Block 11802, Lot 1-11) and with respect to Field Avenue (Block 11802, Lots 1-11; Block 11803, Lot 14; Block 11803, Lot 16 and Block 11803, Lot 1); (the "Property"); and

WHEREAS, the desired portions of Freeman Avenue and Field Avenue dead end at the northern boundary of the Holy Name Cemetery; and

WHEREAS, the Municipal Engineer and Municipal Traffic Engineer have reviewed and approved the proposed vacation of this portion of both Freeman Avenue and Field Avenue; and

WHEREAS, said Petition has been duly advertised and proof of the giving of due notice of Petition requesting the enactment of this ordinance as required by law has been filed with the City Clerk, and the Municipal Council having held a public hearing thereon, and no objections having been made thereto;

NOW THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

Section I: All parts or portions of Freeman Avenue shown on Exhibit "A" and more particularly described in the metes and bounds description annexed to this Ordinance be and are hereby vacated and included in Block 11801, Lots 2 and 4 and in Block 11802, Lots 1-11 and the public easement and rights therein be and the same are hereby extinguished; and

Section II: All parts or portions of Field Avenue shown on Exhibit "A" and more particularly described in the metes and bounds description annexed to this Ordinance be and are hereby vacated and included in Block 11802, Lots 1-11 and Block 11803, Lots 14, 16 and 1 and the public easement and rights thereon be and the same are hereby extinguished; and

Section III: All costs and expenses related to the introduction, passage and publication of this Ordinance, including the preparation and mailing of any and all notices related to this ordinance upon property owners within 200 feet of the area to be vacated, shall be borne and paid by the Petitioner.

Section IV: The Petitioner shall file the Ordinance and the Maps with the Register of the County of Hudson within sixty (60) days after the Ordinance becomes effective.

Section V: This Ordinance shall be subject to the following:

- 1.) In the event the utilities, if any, presently located under the roadways being vacated hereunder, are not moved to another location or abandoned in place, an easement in perpetuity is reserved for the benefit of the City of Jersey City, Jersey City Municipal Utilities Authority and all public utility companies, including any cable television company as defined in the "Cable Television Act", P.L. 1972, c. 186 (c. 48:5A-1 et seq) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance.
- 2.) No buildings or structures of any kind may be constructed over the water or sewer utilities within this area subject to the easement without the consent of the Chief Engineer of the City of Jersey City and/or the Jersey City Municipal Utilities Authority unless and until those utilities are subject to this vacation ordinance.

- 3.) In the event that utilities, if any, presently lying in the portion of Freeman Avenue and Field Avenue being vacated hereby are relocated, then the easement otherwise created under Section V(I), shall be immediately terminated and the same shall be considered as abandoned by the respective utility company.

Section VI: All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section VII: This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

Section VIII: This Ordinance shall take effect at the time and in the manner provided by law.

Section IX: The City Clerk and the Corporation Counsel are hereby authorized and directed to change any chapter numbers, article numbers, and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code in order to avoid confusion and possible accidental repeal of the existing provisions.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

PETITION

TO THE MUNICIPAL COUNCIL OF JERSEY CITY, NEW JERSEY

Your Petitioners, St. George and Shenuda Coptic Orthodox Church, Patriarchate of Alexandria ("Petitioner") located at 835 Bergen Avenue, Jersey City, New Jersey 07306, respectfully prays:

WHEREAS, the Petitioner desires to vacate a portion of Freeman Avenue (south of Sip Avenue) and a portion of Field Avenue (south of Sip Avenue), which parcels are more particularly described by the metes and bounds descriptions and depicted on the Right of Way Vacation Exhibit attached as Exhibit A to the Ordinance and made a part of this petition by reference; and

WHEREAS, both Freeman Avenue and Field Avenue are located within the City of Jersey City, County of Hudson, State of New Jersey; and

WHEREAS, the desired portions of Freeman Avenue and Field Avenue to be vacated are "dead end" streets which terminate at the northern boundary of Holy Name Cemetery in Block 11704 on the current tax map of the City of Jersey City; and

WHEREAS, Petitioner is under contract to purchase all of the property on both sides of Freeman Avenue (Block 11801, Lot 4; Block 11801, Lot 4; Block 11802, Lots 1-11) and with respect to Field Avenue (Block 11802, Lots 1-11; Block 11803, Lot 14; Block 11803, Lot 16 as Block 11803, Lot 1); and

WHEREAS, the desired portions of both Freeman Avenue and Field Avenue which are to be vacated are currently unused public rights-of-way; and

WHEREAS, Petitioner is the designated Redeveloper of the entire tract shown in the Right of Way Vacation Exhibit and is the contract purchaser of all of the lots shown thereon except for the portions of Freeman Avenue and Field Avenue which are the subjects of this Petition; and

WHEREAS, the inclusion of the to-be-vacated portions of Freeman Avenue and Field Avenue are essential to create a campus for Petitioner's project, the plans for which will be submitted to the Jersey City Planning Board for its approval; and

WHEREAS, the vacation of these portions of Freeman Avenue and Field Avenue will not create any land-locked parcels inasmuch as the remainder of the entire project site will have frontage on Sip Avenue and both Freeman Avenue and Field Avenue are not public rights of way but instead are presently unsightly, illegal dumping grounds for trash and debris; and

WHEREAS, the area being vacated is no longer necessary for general public use, as they dead end at the Holy Name Cemetery property; and

WHEREAS, the rights of the public will not be injuriously or adversely affected by the requested vacation; and

WHEREAS, the proposed vacations of both streets will promote the general welfare and public interest; and

NOW THEREFORE, your Petitioner, hereby requests the Municipal Council of Jersey City to adopt the ordinance which shall ordain the vacation of Freeman avenue and Field Avenue as more precisely described in the metes and bounds descriptions attached hereto and more fully described on the Right of Way Vacation Exhibit prepared by Dresdner Robin dated February 28, 2015, last revised March 28, 2017 attached to the proposed Ordinance as Exhibit "A."

By: 

RONALD H. SHALJIAN
Attorney for Petitioner

March 28, 2017

Job No. 10108-02



DEED DESCRIPTION

**ROAD VACATION
PORTION OF FREEMAN AVENUE
Fronting Along Lots 2 and 4 in Block 11801,
Fronting Along Lots 1-11 in Block 11802 and
Fronting Along Lot 2 in Block 11704
City of Jersey City
County of Hudson, State of New Jersey**

BEGINNING at a point in the northwesterly line of Freeman Avenue (60 feet wide), said point of beginning being distant South 16 degrees 34 minutes 25 seconds West, a distance of 25.00 feet from the point of intersection of the northwesterly line of Freeman Avenue and the southwesterly line of Sip Avenue (width varies) and running; thence, into and through the Right of Way of Freeman Avenue, the following course:

1. Along the proposed southwesterly right of way line and proposed southwesterly terminus of Freeman Avenue, South 73 degrees 02 minutes 23 seconds East, a distance of 60.00 feet to a point in the southeasterly line of Freeman Avenue; thence,
2. Along the southeasterly line of Freeman Avenue, South 16 degrees 34 minutes 25 seconds West, a distance of 104.15 feet to a point in the southwesterly terminus of Freeman Avenue; thence,
3. Along the southwesterly terminus of Freeman Avenue, North 67 degrees 25 minutes 43 seconds West, a distance of 60.33 feet to a point in the northwesterly line of Freeman Avenue; thence,
4. Along the northwesterly line of Freeman Avenue, North 16 degrees 34 minutes 25 seconds East, a distance of 98.25 feet to the point or place of BEGINNING.

Containing 6,072 sq. ft. or 0.139 acres.

This description was prepared in accordance with a map entitled "Right of Way Vacation Exhibit, Freeman Avenue and Field Avenue, City of Jersey City, Hudson County, N.J., Prepared for St. Georges Coptic Church", Prepared by Dresdner Robin, Hanson Engineering Division, Dated February 18, 2015 and last revised on March 28, 2017, Job No. 10108-02.

Greg S. Gloor
Professional Land Surveyor
New Jersey License No. 37189

Jersey City

Corporate Office

One Evertrust Plaza, Suite 901
Jersey City, NJ 07302-3085
PHONE: 201-217-9200
FAX: 201-217-9607

Asbury Park Office

603 Mattison Avenue
Asbury Park, NJ 07712
PHONE: 732-988-7020
FAX: 732-988-7032

Cherry Hill Office

Cherry Tree Corporate Center
535 Route 38 East, Suite 208
Cherry Hill, NJ 08002
PHONE: 856-488-6200
FAX: 856-488-4302

Fairfield Office

55 Lane Road, Suite 220
Fairfield, NJ 07004-1015
PHONE: 973-696-2600
FAX: 973-696-1362

www.dresdnerrobin.com

March 28, 2017

Job No. 10108-02



DEED DESCRIPTION

**ROAD VACATION
OF FIELD AVENUE**

**Fronting Along Lots 1, 14 and 16 in Block 11803,
Fronting Along Lots 1-11 in Block 11802 and
Fronting Along Lot 2 in Block 11704
City of Jersey City
County of Hudson, State of New Jersey**

BEGINNING at the point of intersection of the northwesterly line of Field Avenue (80 feet wide) and the southwesterly line of Sip Avenue (80 feet wide) and running, thence;

1. Along the proposed southwesterly right of way line of Sip Avenue, South 73 degrees 02 minutes 23 seconds East, a distance of 80.71 feet to a point in the southeasterly line of Field Avenue; thence,
2. Along the southeasterly line of Field Avenue, South 24 degrees 35 minutes 00 seconds West, a distance of 218.07 feet to a point in the southwesterly terminus of Field Avenue; thence,
3. Along the southwesterly terminus of Field Avenue, North 50 degrees 20 minutes 38 seconds West, a distance of 82.85 feet to a point in the northwesterly line of Field Avenue; thence,
4. Along the northwesterly line of Field Avenue, North 24 degrees 35 minutes 00 seconds East, a distance of 185.81 feet to the point or place of BEGINNING.

Containing 16,155 sq. ft. or 0.371 acres.

This description was prepared in accordance with a map entitled "Right of Way Vacation Exhibit, Freeman Avenue and Field Avenue, City of Jersey City, Hudson County, N.J., Prepared for St. Georges Coptic Church", Prepared by Dresdner Robin, Hanson Engineering Division, Dated February 18, 2015 and last revised on March 28, 2017, Job No. 10108-02.

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Cherry Hill Office

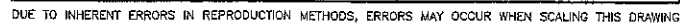
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www.dresdnerrobin.com

S:\SURVEY\PROJECTS\101008-02 ST GEORGE CHURCH JERSEY CITY\DRAWINGS\SV-SURVEY PLANS\ST GEORGE COTTNG CHURCH ROAD VACATIONS\101008-02 ROW VACATION EXISTING 13117 04/17/2008 12:00 PM NBJAVER



JOB No.10108-02

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-086
TITLE: 3.A JUN 28 2017 4.A

JUL 19 2017

An ordinance by the Municipal Council of the City of Jersey City vacating a portion of Freeman Avenue and Field Avenue, Jersey City, New Jersey.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 19 2017 9-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

AHMED SHEDEED
 MICHAEL MANZO
 JEANNETTE ROTONDO
 PETER SAAD
 EMAD ATTALLA
 MARYANN FAM
 SAPIT ABDELLA

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 28 2017
Adopted on second and final reading after hearing on JUL 19 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **JUL 19 2017**

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUL 19 2017

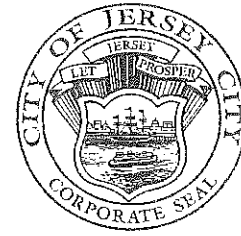
APPROVED:

Steven M. Fulop, Mayor

Date JUL 20 2017

Date to Mayor JUL 20 2017

City Clerk File No. Ord. 17-087
Agenda No. 3.B 1st Reading
Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-087

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO JERSEY AVENUE PARK REDEVELOPMENT
PLAN REGARDING HEIGHTS AND ADMINISTRATIVE CLAUSES**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Jersey Avenue Park Redevelopment Plan in March of 2007, and amended the Plan numerous times subsequently, most recently on March 22, 2017; and

WHEREAS, the proposed amendments update administrative clauses related to redevelopment agreements; and

WHEREAS, the proposed amendments create a maximum height requirement measured by feet within the Emerson District to account for public input; and

WHEREAS, the proposed amendments update and clarify the Proposed Heights Map for the Mixed Use District due to the alignment and associated easements of the Texas Eastern Gas Pipeline; and

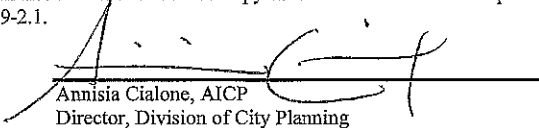
WHEREAS, the Planning Board, at its meeting of June 13, 2017, determined that the Jersey Avenue Park Redevelopment Plan should be amended to revise heights and administrative clauses; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Jersey Avenue Park Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Jersey Avenue Park Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Annisia Cialone, AICP
Director, Division of City Planning

APPROVED AS TO LEGAL FORM

APPROVED: 

APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO JERSEY AVENUE PARK REDEVELOPMENT PLAN REGARDING HEIGHTS AND ADMINISTRATIVE CLAUSES

Initiator

Department/Division	HEDC	City Planning
Name/Title	Annisia Cialone, AICP	Director
	Matt Ward, PP, AICP <i>mw</i>	Senior Planner
Phone/email	201-547-5010	acialone@jcnj.org / mward@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The proposed amendments revise the Jersey Avenue Park Redevelopment Plan. This amendment will: 1) create a maximum height requirement measured by feet for the Emerson District in response to public input; 2) update and clarify the Proposed Heights Map for the Mixed Use District due to Texas Eastern Gas Pipeline alignment; and, 3) update administrative clauses regarding redevelopment agreements.

I certify that all the facts presented herein are accurate.


Signature of Division Director

6-16-17
Date


Signature of Department Director

6/20/17
Date

Summary Sheet:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO JERSEY AVENUE PARK
REDEVELOPMENT PLAN REGARDING HEIGHTS AND ADMINISTRATIVE
CLAUSES**

The proposed amendments revise the Jersey Avenue Park Redevelopment Plan. This amendment will: 1) create a maximum height requirement measured by feet for the Emerson District in response to public input; 2) update and clarify the Proposed Heights Map for the Mixed Use District due to Texas Eastern Gas Pipeline alignment; and, 3) update administrative clauses regarding redevelopment agreements.

JERSEY AVENUE PARK REDEVELOPMENT PLAN

PROPOSED AMENDMENTS

For June 13, 2017 planning board meeting

Text to be added is in bold italics *like this*

Text to be deleted is in strikethrough ~~like this~~

Text added or deleted as part is highlighted yellow for visibility

IV. DESIGN OBJECTIVES AND REQUIREMENTS

B. Improved Open Space

1. to 10. – NO CHANGES

11. The construction of bikeways and public open spaces including the Coles Street Park as depicted on the Circulation, Bikeways and Open Space Map included within this Redevelopment Plan, at such time when the land required to construct the Coles Street Park has been dedicated, conveyed, and accepted by the City of Jersey City; and the Emerson Park as depicted on the Circulation, Bikeways and Open Space Map included within this Redevelopment Plan at such time when the land required to construct the Emerson Park is no longer being used for its current use. Open spaces within the area shall be designed to introduce a range of functional, passive and recreational elements to the District. Pedestrian walkways and bikeways shall be designed to link open spaces, residential, transit, office and retail elements within this and adjoining neighborhoods. Open space shall contain designed landscaping and lawns, play equipment, high architectural materials and finishes for fencing, decorative walls, pedestrian pathways, seating, lighting and other hardscape furnishings. When designing open spaces access entry points shall take into consideration the location of ground floor uses at neighboring structures. The timing, construction and public input for the construction of the improvements outlined above shall be ~~governed by a Developer Agreement negotiated and entered into between the city of Jersey City,~~ ***approved by the Jersey City Planning Board and subject to a Redeveloper's Agreement with the Jersey City Redevelopment Agency, which shall be fully executed prior to site plan approval and which shall be in recordable form. The Agreement shall memorialize how the objectives of the Redevelopment shall be fulfilled by the applicant and implemented by the Redevelopment Agency. The Agreement shall be undertaken on a project by project basis. This requirement may be waived at the Redevelopment Agency's discretion for minor projects. Nothing herein shall be construed to deprive or dispossess the redevelopment Agency of the discretionary exercise of its redevelopment powers enumerated in N.J.S.A. 40A:12A-1 et seq., including the designation of a redeveloper under the Act.*** ~~and any developer within the Plan area after it has obtained a site plan approval from the Jersey City Planning Board. The Developer Agreement shall be in recordable form.~~ Final design of the park improvements shall be determined by the Planning Board. Any developer who constructs improved open space on public lands shall be granted an easement by the city of Jersey City for the purposes of entering onto designated property as conveyed, dedicated and accepted by the city of Jersey

City.

X. SPECIFIC LAND USE PROVISIONS

D. Emerson District

1. NO CHANGES

2. The ~~re~~developer(s) will be required to fulfill certain performance standards, including but not limited to the obligation to provide community benefits for the successful implementation of the objectives of the redevelopment plan. ***These performance standards shall be memorialized in a Redeveloper's Agreement with the Jersey City Redevelopment Agency, which shall be fully executed prior to site plan approval and which shall be in recordable form. The Agreement shall be undertaken on a project by project basis. This requirement may be waived at the Redevelopment Agency's discretion for minor projects. Nothing herein shall be construed to deprive or dispossess the Redevelopment Agency of the discretionary exercise of its redevelopment powers enumerated in N.J.S.A. 40A:12A-1 et seq., including the designation of a redeveloper under the Act.***

These benefits to the community include, but are not limited to:

- a. Restoration and adaptive reuse of the original 1920's, 5-story Structure with no apparent change to the building's height;
- b. The provision of public uses in the district to help administer public services to a growing neighborhood and greater Jersey City;
- c. The construction of Monmouth Street, a 60'-70' right-of-way between 13th and 16th Streets;
- d. The construction of the 15th Street right-of-way between Coles and Monmouth Streets;
- e. The improvement of the 16th Street right-of-way between Coles and Monmouth Streets;
- f. Dedication of 30'-40' of land on the west side of the property between 14th and 16th Streets for the reopening of Monmouth Street;
- g. Dedication or public easement and construction of a 60' wide section of land between Monmouth and Coles Street for the reopening of 15th Street;
- h. The dedication of publicly accessible open and recreational land south of 14th Street for the Emerson Park after the expiration of its current use.
- i. The detailed reconstruction of the Art Deco Entrances at the corners of 14th Street, 15th Street and Coles Street at the base of the new southern structure; and
- j. Construction and dedication of a Public Use Facility as further outlined in this district; and
- k. Construction of the Coles Street Park in accordance with the Design Objectives and Requirements for Improved Open Space of the Jersey Avenue Park Redevelopment Plan, at such time when the land required to construct the Coles Street Park has been dedicated conveyed and accepted by the City of Jersey City
- l. Construction of the Emerson Park in accordance with the Design Objectives and Requirements for Improved Open Space of the Jersey Avenue Park Redevelopment Plan after the expiration of its current use.

3. NO CHANGES

4. Permitted Uses: NO CHANGES

5. Accessory Uses: NO CHANGES

6. Prohibited Uses: NO CHANGES

7. Permitted Height:

- a. Building heights within this zone shall be as indicated on the proposed height map for the Emerson District and paragraph 8 and 9 of this Plan ***and no building shall be greater than 304 feet from grade.***
- b. That portion of the former Emerson Building to be retained and indicated on the Adaptive Reuse and Demolition Plan Map shall remain as a 5-story structure, although mezzanine or loft levels may be incorporated into the redesign of the interior of the building to accommodate the anticipated residential and commercial reuse of the building. No change to the apparent bulk or height of the retained building is permitted as visible from the adjacent rights-of-way.

8. Additional Height Requirements and Standards: NO CHANGES

9. Permitted Intensity of Development – NO CHANGES

10. Open Space Requirements – The ***redeveloper*** ~~Developer~~ shall, as part of the first phase or building of any development in the Emerson District construct the Coles Street Park in accordance with the Design Objectives and Requirements for Improved Open Space of this plan at such time when the land to construct the Coles Street Park has been dedicated conveyed and accepted by the City of Jersey City. Any ***redeveloper*** who constructs the Coles Street Park shall be entitled to utilize all present and future funds available through the Jersey Avenue Park Open Space Fund for the construction and completion of the Coles Street Park.

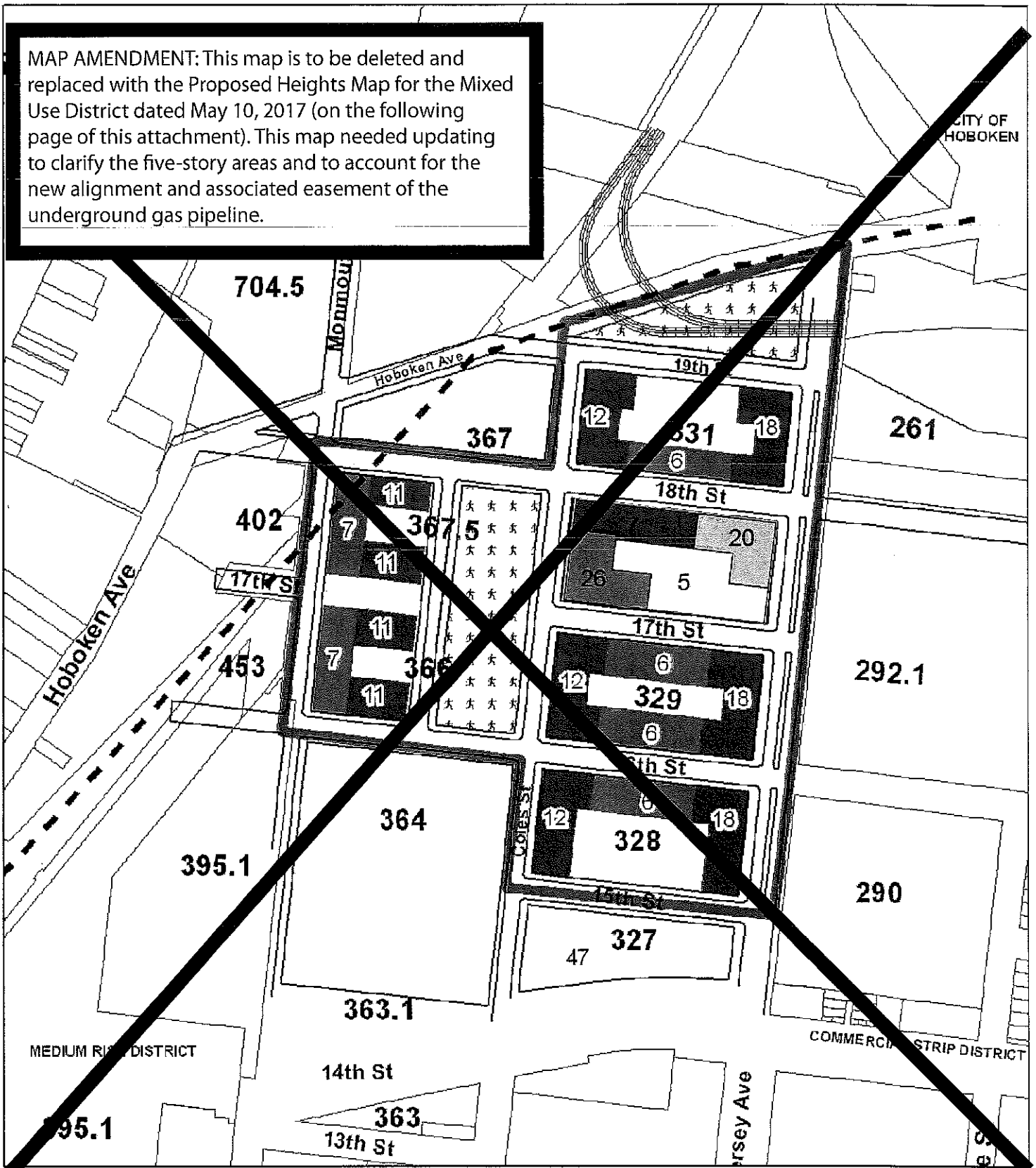
11. Required Setbacks – NO CHANGES

12. Public Use Facility Requirement - Subject to a ***redeveloper's*** ~~Developer's~~ agreement with the ***Jersey City Redevelopment Agency*** ~~City of Jersey City~~, the redeveloper(s) shall construct and dedicate a shell space for a new Public Use Facility to service the Redevelopment Area and the community at-large. The shell space construction will include the concrete floor, windows, perimeter walls and roof of the enclosed premises and will include rough utilities to the space including water, gas, sanitary and electric service appropriately sized for the square footage based on commercial use. The shell space shall be at least 20,000 square feet not to exceed 29,000 square feet and include a minimum of 40 easily accessible assigned parking spaces. This facility shall occupy a portion of the ground floor and may occupy a portion of the mezzanine level of the building identified on the Ground Floor Frontage Map. Before the issuance of any certificate of occupancy for this development parcel, the public use facility shall be constructed and dedicated to the City of Jersey City for one dollar. The Public Use Facility is not subject to condo fees except for those related to the operation of the public use facility like utilities or HVAC as further detailed in the

redeveloper's agreement. Public uses include but are not limited to: Police district headquarters, Emergency Management offices, or other City offices (the "Public Use Facility"). Final design of the facility shall be subject to planning board approval. ***The Redeveloper's Agreement with the Jersey City Redevelopment Agency shall be fully executed prior to site plan approval and shall be in recordable form. The Agreement shall memorialize how the objectives of this Public Use Facility Requirement shall be fulfilled by the applicant and implemented by the Redevelopment Agency. The Agreement shall be undertaken on a project by project basis. This requirement may be waived at the Redevelopment Agency's discretion for minor projects. Nothing herein shall be construed to deprive or dispossess the Redevelopment Agency of the discretionary exercise of its redevelopment powers enumerated in N.J.S.A. 40A:12A-1 et seq., including the designation of a redeveloper under the Act.***

NO OTHER CHANGES

MAP AMENDMENT: This map is to be deleted and replaced with the Proposed Heights Map for the Mixed Use District dated May 10, 2017 (on the following page of this attachment). This map needed updating to clarify the five-story areas and to account for the new alignment and associated easement of the underground gas pipeline.



Jersey Avenue Park Redevelopment Plan Mixed Use District Map Proposed Heights

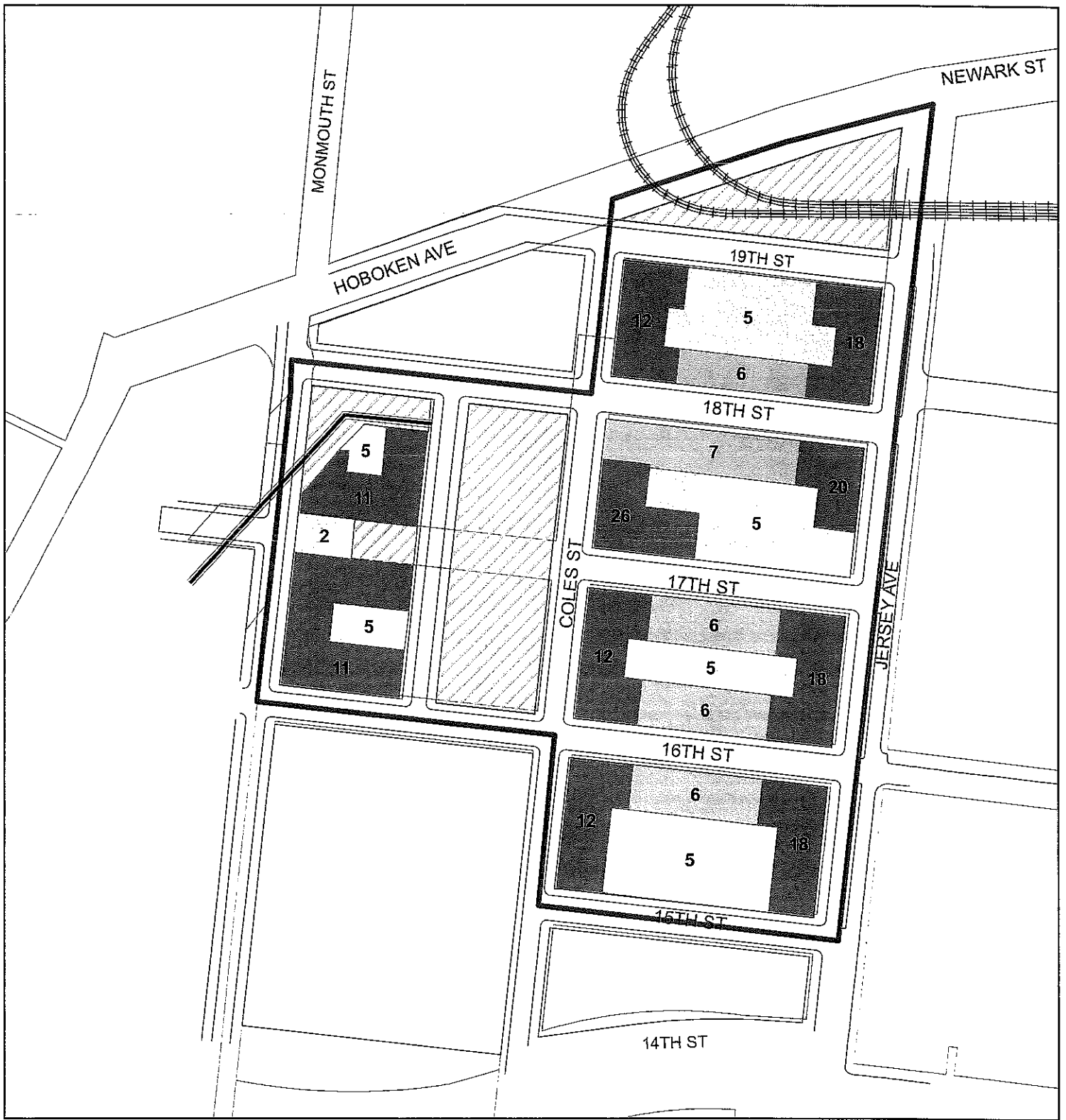
0 125 250 500 Feet

Legend

- 6 Stories
- Open Space
- Palisades Preservation Overlay District
- Mixed Use District



September 27, 2012



JERSEY AVENUE PARK REDEVELOPMENT PLAN

PROPOSED HEIGHTS MAP MIXED USE DISTRICT







May 10, 2017

1 inch = 200 feet

0 100 200 400 Feet



Legend

-  Mixed Use District
-  Maximum Permitted Heights (# of stories)
-  Parks and Open Space
-  Gas Pipeline
-  Roads and Curblines
-  HBLR Tracks



30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-087
TITLE: 3.B JUN 28 2017 4.B

JUL 19 2017

Ordinance of the Municipal Council of the City of Jersey City adopting amendments to Jersey Avenue Park Redevelopment Plan regarding Heights and Administrative Clauses.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 19 2017 9-0											
Councilperson <u>LAVARRO</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JUN 28 2017**
Adopted on second and final reading after hearing on **JUL 19 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **JUL 19 2017**

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date **JUL 19 2017**

APPROVED:

Steven M. Fulop, Mayor

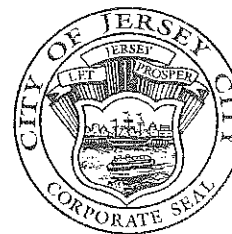
Date **JUL 20 2017**

Date to Mayor **JUL 20 2017**

City Clerk File No. Ord. 17-088

Agenda No. 3.C 1st Reading

Agenda No. 4.C 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-088

TITLE:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AN AMENDMENT TO THE ZONING MAP EXPANDING THE RESTAURANT OVERLAY
ZONE IN DOWNTOWN JERSEY CITY**

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001, (Ordinance No. 01-042), and several amendments since then; and

WHEREAS, the Land Use Element of the Jersey City Master Plan references the creation of a "restaurant row" through the adoption of the Restaurant Overlay Zone (ROZ) within the downtown R-5 Zone District immediately adjacent to the Newark Avenue Neighborhood Commercial District; and

WHEREAS, a Master Plan Reexamination Report recommending the expansion of the ROZ boundaries into growth areas in Jersey City was adopted by the Planning Board on July 26, 2011; and

WHEREAS, amendments to the Zoning Map implementing the recommendations of the Reexamination Report were recommended by the Planning Board for adoption by the Municipal Council on June 13, 2017; and

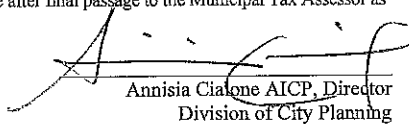
WHEREAS, the subject map amendments are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

WHEREAS, the City Planning Division has given notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning Board;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance Zoning Map, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Annisia Cialone AICP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AN AMENDMENT TO THE ZONING MAP EXPANDING THE RESTAURANT OVERLAY ZONE IN DOWNTOWN JERSEY CITY

Initiator

Department/Division	HEDC	City Planning
Name/Title	Annisia Cialone, AICP	Director
	Matt Ward	Senior Planner
Phone/email	201-547-3010	acialone@jcnj.org / mward@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

This Ordinance expands the Restaurant Overlay Zone (ROZ) in Downtown Jersey City at the corner of Monmouth Street and 2nd Street in the R-5 Zone immediately adjacent to Neighborhood Commercial Zone on Newark Avenue. This area has been determined as a new growth area. Attached map depicts specific boundaries to update the zoning map.

I certify that all the facts presented herein are accurate.


Signature of Division Director

6.16.17
Date


Signature of Department Director

6.20.17
Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AN AMENDMENT TO THE ZONING MAP EXPANDING THE RESTAURANT OVERLAY ZONE IN DOWNTOWN JERSEY CITY

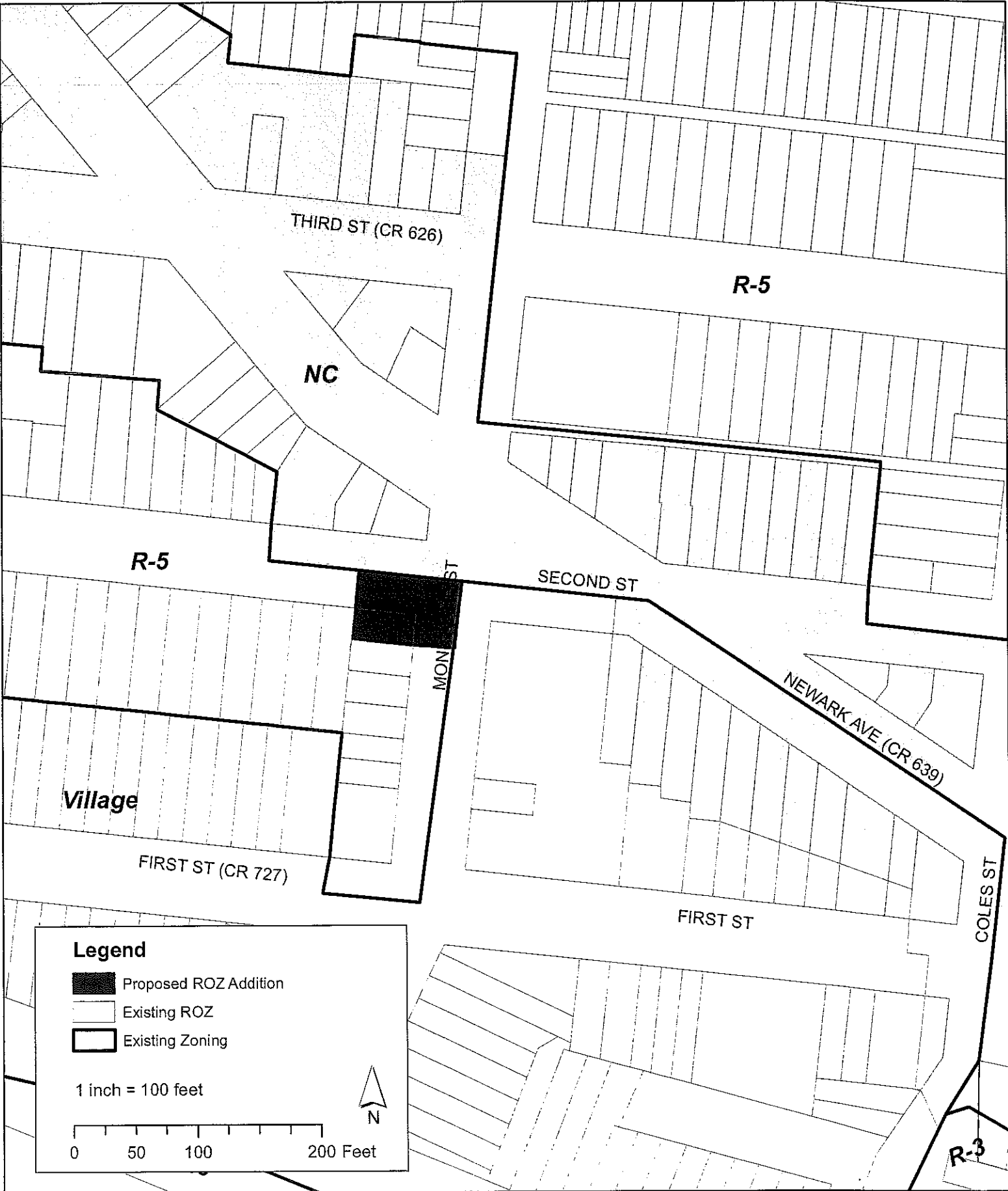
This Ordinance expands the Restaurant Overlay Zone (ROZ) in Downtown Jersey City at the corner of Monmouth Street and 2nd Street in the R-5 Zone immediately adjacent to Neighborhood Commercial Zone on Newark Avenue. This area has been determined as a new growth area. Attached map depicts specific boundaries to update the zoning map.

ROZ ADDITION - MONMOUTH AND 2ND STREETS

JERSEY CITY, NJ

Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

JUNE 1, 2017



Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord 17-088
TITLE: 3.C JUN 28 2017 4.C

JUL 19 2017

Ordinance of the Municipal Council of the City of Jersey City adopting an amendment to the Zoning Map expanding the Restaurant Overlay Zone in Downtown Jersey City.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 19 2017 9-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>WATTERMANN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

JORDAN WILLS

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JUN 28 2017**

Adopted on second and final reading after hearing on **JUL 19 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **JUL 19 2017**

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President

Date **JUL 19 2017**

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

Date **JUL 20 2017**

Date to Mayor **JUL 20 2017**

City Clerk File No. Ord. 17-090
Agenda No. 3.E 1st Reading
Agenda No. 4.E 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-090

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 157 ARLINGTON AVENUE; 33 CARLTON AVENUE; 90 CLENDENNY AVENUE; 82 GAUTIER AVENUE; 18 GRANT AVENUE; 59 HANCOCK AVENUE; 159 HUTTON STREET; 145 KENSINGTON AVENUE; 230 LIBERTY AVENUE; 28-30 LINCOLN STREET; 227 LINDEN AVENUE; 2 McADOO AVENUE; 41 MORTON PLACE; 203 NEW YORK AVENUE; 212 NUNDA AVENUE; 182 OAKLAND AVENUE; 61 SUMMIT AVENUE; 413 UNION STREET; 17 WAVERLY STREET; 68 WEBSTER AVENUE AND AMEND THE RESERVED PARKING SPACE AT 171 ARMSTRONG AVENUE; 37 DWIGHT STREET AND 326 LEMBECK AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 159 ARLINGTON AVENUE; 90 CLAREMONT AVENUE; 15-17 GIFFORD STREET; 87 SANFORD PLACE; 414 UNION STREET

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code is hereby supplemented as follows:

Section 332-29 Disabled Parking Manual

Section 332-69 Restricted parking zones in front of or near residences of disabled drivers.

PARKING FOR THE DISABLED

Restricted parking spaces, (measuring approximately 22 feet in length) in front of residential building for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and handicapped parking permits issued by the Traffic Division.

Judy Kinery	[159] 157 Arlington Av	
Roberta [Mamie] Green	171 Armstrong Av	
Paul Lewandowski	33 Carlton Av	
Abdullah Abdullah	90 Clendenny Av	[Claremont Av]
Jeanette [Milton] Drayton	37 Dwight St	
Janette Molina	82 Gautier Av	
Matthew Givens, Sr.	18 Grant Av	
Shyann Rodriguez	59 Hancock Av	
Galo Delgado	159 Hutton St	
Gregory Zachar	145 Kensington Av	
Raymond [Colon] Caron	326 Lembeck Av	
Nilda Torres	230 Liberty Av	
Michael Viola	28-30 Lincoln St	
Robert Rzeckowski	227 Linden Av	
Rosa Heredia	2 Mc Adoo Av	[414 Union St]
Demetrius Porter	41 Morton Pl	
Barbara Peters	203 New York Av	
Carolyn Pinnock	212 Nunda Av	[15-17 Gifford Av]
Nicholas Pekar	182 Oakland Av	[87 Sherman Av]
Christopher Tarmofsky	61 Summit Av	
Seravena Sadaka	413 Union St	
Salwa Nesheiwat	17 Waverly St	
Daniel Malvasi	68 Webster Av	

AV:pci
06.09.17

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

4. This ordinance shall take effect at the time and in the manner as prescribed by law.

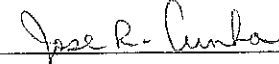

5. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: The new material to be inserted is underscored; the material to be repealed is in *[brackets]*.

AV:pcl
(06.09.17)

APPROVED: 
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: 
Municipal Engineer
APPROVED: 

Business Administrator

Corporation Counsel

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 157 ARLINGTON AVENUE; 33 CARLTON AVENUE; 90 CLENDENNY AVENUE; 82 GAUTIER AVENUE; 18 GRANT AVENUE; 59 HANCOCK AVENUE; 159 HUTTON STREET; 145 KENSINGTON AVENUE; 230 LIBERTY AVENUE; 28-30 LINCOLN STREET; 227 LINDEN AVENUE; 2 McADOO AVENUE; 41 MORTON PLACE; 203 NEW YORK AVENUE; 212 NUNDA AVENUE; 182 OAKLAND AVENUE; 61 SUMMIT AVENUE; 413 UNION STREET; 17 WAVERLY STREET; 68 WEBSTER AVENUE AND AMEND THE RESERVED PARKING SPACE AT 171 ARMSTRONG AVENUE; 37 DWIGHT STREET AND 326 LEMBECK AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 159 ARLINGTON AVENUE; 90 CLAREMONT AVENUE; 15-17 GIFFORD STREET; 87 SANFORD PLACE; 414 UNION STREET

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Andrew Vischio, P.E., at the request of Councilwoman Joyce Watterman, Chairwoman, Municipal Council Committee for Disabled Parking	Director of Traffic & Transportation
Phone/email	201.547.4419	AVishio@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

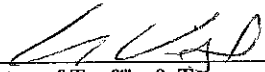
Ordinance Purpose

Designate and amend a reserved parking space at the following locations:

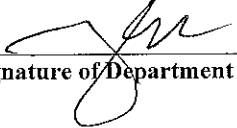
157 ARLINGTON AVENUE; 33 CARLTON AVENUE; 90 CLENDENNY AVENUE; 82 GAUTIER AVENUE; 18 GRANT AVENUE; 59 HANCOCK AVENUE; 159 HUTTON STREET; 145 KENSINGTON AVENUE; 230 LIBERTY AVENUE; 28-30 LINCOLN STREET; 227 LINDEN AVENUE; 2 McADOO AVENUE; 41 MORTON PLACE; 203 NEW YORK AVENUE; 212 NUNDA AVENUE; 182 OAKLAND AVENUE; 61 SUMMIT AVENUE; 413 UNION STREET; 17 WAVERLY STREET; 68 WEBSTER AVENUE AND AMEND THE RESERVED PARKING SPACE AT 171 ARMSTRONG AVENUE; 37 DWIGHT STREET AND 326 LEMBECK AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 159 ARLINGTON AVENUE; 90 CLAREMONT AVENUE; 15-17 GIFFORD STREET; 87 SANFORD PLACE; 414 UNION STREET

All of the applications have been reviewed and the applicant's approved for a reserved parking space by the Municipal Council Committee for Disabled Parking.

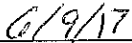
I certify that all the facts presented herein are accurate.

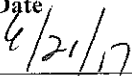


Director of Traffic & Transportation



Signature of Department Director



Date


Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-090

TITLE: 3.E JUN 28 2017 4.E JUL 19 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 157 Arlington Avenue; 33 Carlton Avenue; 90 Clendeney Avenue; 82 Gautier Avenue; 18 Grant Avenue; 59 Hancock Avenue; 159 Hutton Street; 145 Kensington Avenue; 230 Liberty Avenue; 28-30 Lincoln Street; 227 Linden Avenue; 2 McAdoo Avenue; 41 Morton Place; 203 New York Avenue; 212 Nunda Avenue; 182 Oakland Avenue; 61 Summit Avenue; 413 Union Street; 17 Waverly Street; 68 Webster Avenue and amend the reserved parking space at 171 Armstrong Avenue; 37 Dwight Street and 326 Lembeck Avenue and repeal the reserved parking space at 159 Arlington Avenue; 90 Claremont Avenue; 15-17 Gifford Street; 87 Sanford Place; 414 Union Street.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 19 2017 9-0											
Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 28 2017
 Adopted on second and final reading after hearing on JUL 19 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 19 2017

Robert Byrne
 (Robert Byrne, City Clerk)

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.

Rolando R. Lavarro, Jr., Council President

Date JUL 19 2017

APPROVED:

Steven M. Fulop
 Steven M. Fulop, Mayor

Date JUL 20 2017

Date to Mayor JUL 20 2017

City Clerk File No. Ord. 17-091

Agenda No. 3.F 1st Reading

Agenda No. 4.F 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-091

TITLE:
AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC)
ARTICLE VIII (PERMIT PARKING) AMENDING SECTION 332-58 (PARKING
RESTRICTIONS IN RESIDENTIAL ZONES) OF THE JERSEY CITY TRAFFIC CODE
EXTENDING ZONE 10 RESIDENTIAL PERMIT PARKING TO INCLUDE FREEDOM
PLACE, ENTIRE LENGTH

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article XIII (Permit Parking) of the Jersey City Code is hereby supplemented as follows:

Article VIII PERMIT PARKING

Sec. 332-58 Parking restrictions in residential zones.

A.. No person shall park a vehicle in excess of two (2) hours; between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Zone 1	No Change
Zone 2	No Change
Zone 3	No Change
Zone 4	No Change
Zone 5	No Change
Zone 6	No Change
Zone 7	No Change

B.	No Change
Zone 9	No Change

C. The parking restriction will be in effect for the following streets, Monday through Friday, 6:00 a.m. to Midnight and 8:00 a.m. to 6:00 p.m. on Saturday

Zone 10

STREET

LIMITS

Bayside Ter	Entire length
Freedom Pl	Entire length
Garfield Av	East side; Armstrong Av to Freedom Pl
Richard St	Entire length

Zone 15	No Change
---------	-----------

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

4. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: New material to be inserted is underscored.

AV:pcj
(6.08.17)

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐

Not Required ☐

Director of Traffic & Transportation

APPROVED: _____

Municipal Engineer

APPROVED: _____

Business Administrator

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) AMENDING SECTION 332-58 (PARKING RESTRICTIONS IN RESIDENTIAL ZONES) OF THE JERSEY CITY TRAFFIC CODE EXTENDING ZONE 10 RESIDENTIAL PERMIT PARKING TO INCLUDE FREEDOM PLACE, ENTIRE LENGTH

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Andrew Vischio, P.E. at the request of the residents of Freedom Place (Petition attached)	Director of Traffic & Transportation
Phone/email	201.547.4419	AVischio@jcnj.org

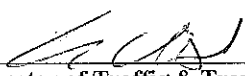
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

Extend the Zone 10 residential permit parking to include the entire length of Freedom Place. The request was made by the residents of Freedom Place via a Petition.

Including Freedom Place in the Zone 10 program will increase parking availability for the residents of Freedom Place and restrict the hours that riders can park and leave their vehicles while accessing the Light Rail via the Richard Street Light Rail Station.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation



Signature of Department Director



Date



Date

①
Freedom Place

Zone 10

Petition Requesting Zoned Residential Parking

The residents of Freedom Place are signing this petition in support of having the entire street added to the Zone 10 parking area. Freedom Place is one street over from the Richard Street Light Rail Station. Light rail patrons are parking their cars on these streets and walking over to take the light rail. As a result, residents often have to park one to two blocks from their home. Zone 10 currently covers all of Bayside Terrace, 538-566 Garfield Ave, and all of Richard Street. The restriction is for permit parking Monday thru Friday from 6am until 12:00am and 8am until 6pm on Saturday.

MURIELLE.NESE@NYULMC.ORG

NAME	ADDRESS	PHONE	SIGNATURE
* Murielle Neese	4 Freedom Place	9175604785	
Virginia Niemann	6 Freedom Place	201-435-5783	
Theresa Niemann	7 Freedom Place	201-332-5173	
Lillie H. Gortz	2 Freedom Pl	201-344-7345	
Jaren Jordani	2 Freedom Pl	201-332-8173	
Jalynne Jordan	2 Freedom Pl	201-332-8173	
William Jordan	11 Freedom Pl	261-435-3934	
MARGARET DABNEY	11 Freedom Pl	201-435-3454	
Roland Bernadine	566 Garfield Ave	201-668-6844	
Anna L. Bernadine	566 Garfield Ave	201-332-9124	
ELIZABETH CARVER	21 Freedom Pl	832-954-7596	
WANDA DABNEY	21 Freedom Pl	801-434-2472	
R. John H. McKee	23 Freedom Pl		
ISNEI SANON	29 Freedom Pl	212-203-6070	
KEITH PARSON	10 Freedom Pl	201-832-9408	
CYNTHIA PARSON	10 Freedom Pl	"	
MURASIN PARSON	10 Freedom Pl	"	
John McKee	23 Freedom Pl	850-530-6282	
Salas McKee	23 Freedom Pl	862-888-8143	
David L. Webb	8 Freedom Pl	(201) 332-2796	
NATHANIEL JOHNSON	16 Freedom Pl	201-451-7286	
Deirdra Johnson	16 Freedom Pl	201-451-7286	
W. H. E. Mac Johnson	18 Freedom Pl	201-433-4444	
Herman Johnson	18 Freedom Pl	201-887-2595	
MIKE DAIG	12 Freedom Pl	551-655-6627	



Petition Requesting Zoned Residential Parking

The residents of Freedom Place are signing this petition in support of having the entire street added to the Zone 10 parking area. Freedom Place is one street over from the Richard Street Light Rail Station. Light rail patrons are parking their cars on these streets and walking over to take the light rail. As a result, residents often have to park one to two blocks from their home. Zone 10 currently covers all of Bayside Terrace, 538-566 Garfield Ave, and all of Richard Street. The restriction is for permit parking Monday thru Friday from 6am until 12:00am and 8am until 6pm on Saturday.

[illegible]

Google Maps



DESIGNATED IN ZONE 10

PROPOSED TO BE INCLUDED IN ZONE 10

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-091

TITLE: 3.F JUN 28 2017 4.F JUL 19 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article VIII (Permit Parking) amending Section 332-58 (Parking Restrictions in Residential Zones) of the Jersey City Traffic Code extending Zone 10 Residential Permit Parking to include Freedom Place, entire length.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 19 2017 9-0											
Councilperson <u>ROBINSON</u>				moved, seconded by Councilperson <u>RIVERA</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson				moved to amend* Ordinance, seconded by Councilperson				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 28 2017
Adopted on second and final reading after hearing on JUL 19 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 19 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUL 19 2017

APPROVED:

Steven M. Fulop, Mayor

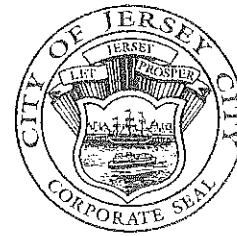
Date JUL 20 2017

Date to Mayor JUL 20 2017

City Clerk File No. Ord. 17-092

Agenda No. 3.6 1st Reading

Agenda No. 4.6. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-092

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) AMENDING SECTION 332-58 (PARKING RESTRICTIONS IN RESIDENTIAL ZONES) OF THE JERSEY CITY TRAFFIC CODE EXTENDING ZONE 2 RESIDENTIAL PERMIT PARKING TO INCLUDE BALDWIN AVENUE FROM MERCER STREET TO MONTGOMERY STREET

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article XIII (Permit Parking) of the Jersey City Code is hereby supplemented as follows:

Article VIII PERMIT PARKING
Sec. 332-58 Parking restrictions in residential zones.

A.. No person shall park a vehicle in excess of two (2) hours; between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Zone 1

No Change

ZONE 2

Name of Street

Limits

Academy St	Between Baldwin Av and Van Reyepen St
Alan Ter	Entire length
Baldwin Av	Between [<i>Mercer St</i>] <i>Montgomery St</i> and Waverly St
Beacon Av	Between Palisade Av and Kennedy Blvd
Bergen Av	Between Mercer St and Sip Av
Bevan St	Entire length
Berkeley Pl	Between Liberty Av and Tonnele Av
Bond St	Entire length
Booraem Av	Between Palisade Av and Webster Av
Broadway	Between Tonnele Av and Route 1 & 9
Bryan Pl	Entire length
Bryant Av	Entire length
Cambridge Av	Between Ferry St and North St
Central Av	Between Pavonia Av and Beacon Av
Chestnut Av	Entire length
Clifton Pl	Between Fairmount Av and Baldwin Av
Collard St	Entire length
Concord St	Entire length
Cook St	Entire length
Corbin Av	Entire length
Cottage St	Entire length
Court House Pl	Entire length
Crawford Pl	Entire length
Cubberly Pl	Entire length
Dales Av	Entire length

AV:pcj
06.08.17

<u>Name of Street</u>	<u>Limits</u>
DeKalb Av	Entire length
Dick St	Entire length
East St	Entire length
Elizabeth St	Entire length
Elm St	Entire length
Emerson Av	Entire length
Enos Pl	Entire length
Ferry St	Between Central Av and Ogden Av
Field Av	Entire length
Fleet St	Between Baldwin Av and Palisade Av
Floyd St	Entire length
Fox Pl	Entire length
Franklin St	Between Ogden Av and Central Av
Freeman Av	Entire length
Garrison Av	Between Tonnele Av and DeKalb Av
Giles Av	Entire length
Glenwood Av	Between Bergen Av and Kennedy Blvd
Gray St	Entire length
Griffith St	Between Ogden Av and Central Av
Hancock Av	Between North St and Ferry St
Hawthorne Av	Entire length
Henry St	Entire length
Herbert Pl	Entire length
High St	Entire length
Highland Av	Between West Side Av and Bergen Av
Hoboken Av	Between Palisade Av and Central Av
Hoboken Av	Between Summit Av and State Highway 130
Holmes Av	Entire length
Homestead Pl	Entire length
Hopkins Av	Between Baldwin Av and Palisade Av
Hopkins Av	Between Collard St and Central Av
Hutton St	Between Central Av and Palisade Av
Kennedy Blvd	Between Glenwood Av and Manhattan Av
Jefferson Av	Between Palisade Av and Baldwin Av
Jones Pl	Entire length
Jones St	Entire length
Jordan Av	Between Mercer St and Vroom St
Laidlaw Av	Between Baldwin Av and Palisade Av
Laidlaw Av	Between Central Av and Collard St
Lake St	Between Montrose Av and Kennedy Blvd
Liberty Av	Between State Highway 139 and Newark Av
Logan Av	Entire length
Lott St	Entire length
Magnolia Av	Between Summit Av and Waldo Av
Magnolia Av	Between Tonnele Av and Journal Square Concourse
Maiden Lane	Entire Length
Manhattan Av	Between Central Av and Sherman Av
Marion Pl	Entire length
Mead St	Entire length
Mercer St	Between Mill Rd and Bergen Av
New York Av	Between Paterson Plank Rd and Palisade Av
Nardone Pl	Entire Length
Newark Av	Between Tonnele Av and Waldo Av
Newkirk St	Entire length
Oakland Av	Between Newark Av and Hoboken Av
Orchard St	Between Fleet St and St. Pauls Av
Palisade Av	Between Monticello Av and Crawford St
Pavonia Av	Between State Highway 139 and Waverly St
Perrine Av	Between Giles Av and Newark Av
Perry St	Entire length
Perry St	Entire length
Ravine Av	Between Webster Av and Palisade Av
Rock St	Entire length
Romaine Av	Entire length

AV:pc1
06.08.17

<u>Name of Street</u>	<u>Limits</u>
Sherman Av	Between Ferry St and North St
Sip Av	Between Summit Av and Route 1 & 9
Smith St	Entire length
Spruce St	Between Kennedy Blvd and Collard St
St. Pauls Av	Between Kennedy Blvd and Tonnele Av
St. Pauls Av	Between Central Av and Summit Av
Skillman Av	Between State Highway 139 and Van Winkle Av
Stuyvesant Av	Between West Side Av and Van Reypen St
Summit Av	Between Baldwin Av and Beacon Av
Tonnele Av	Between Van Reypen St and St. Paul's Av
Trenton St	Entire length
Troy St	Entire length
Tuers Av	Between Mercer St and Newkirk St
Van Reipen Av	Entire length
Van Reypen St	Entire length
Van Wagenen Av	Path R.R. Tracks to Stuyvesant Av
Van Winkle Av	Between Kennedy Blvd and Senate Pl
Vine St	Entire length
Vroom St	Between Van Reypen St and Gray St
Waldo Av	Entire length
Wales Av	Entire length
Wallis Av	Entire length
Washburn St	Entire length
Waverly St	Between Baldwin Av and Palisade Av
Wayne St	Between Mill Rd and Summit Av
Webster Av	Between Booraem Av and Paterson Plank Rd
Weldon St	Entire length
West St	Entire length
West Side Av	Between Glenwood Av and Broadway
Whitman Av	Entire length
Wright Av	Entire length
Zone 3	No Change
Zone 4	No Change
Zone 5	No Change
Zone 6	No Change
Zone 7	No Change
B.	No Change
Zone 9	No Change
C.	No Change
Zone 10	No Change
Zone 15	No Change

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.


4. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions:

NOTE: New material to be inserted is underscored; material to be repealed is in [brackets].

AV:pcj
(6.08.17)

APPROVED AS TO LEGAL FORM

Corporation Counsel



Director of Traffic & Transportation

APPROVED:
Municipal Engineer

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) AMENDING SECTION 332-58 (PARKING RESTRICTIONS IN RESIDENTIAL ZONES) OF THE JERSEY CITY TRAFFIC CODE EXTENDING ZONE 2 RESIDENTIAL PERMIT PARKING TO INCLUDE BALDWIN AVENUE FROM MERCER STREET TO MONTGOMERY STREET

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Andrew Vischio, P.E., on the request of Councilman Boggiano on behalf of the residents who reside on Baldwin Avenue between Mercer Street and Montgomery Street	Director of Traffic & Transportation
Phone/email	201.547.4419	AVischio@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

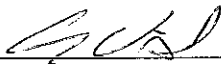
Ordinance Purpose

Extend Zone 2 Residential Permit Parking to include Baldwin Avenue between Mercer Street and Montgomery Street.


Extending Zone 2 parking on Baldwin Avenue one block south to Montgomery Street will increase parking availability for those constituents who reside on Baldwin Avenue between Mercer Street and Montgomery Street.

The west side of Baldwin Avenue is predominately driveways, the streets north, east and west of Baldwin Avenue are included in the Zone 2 permit parking program and Montgomery Street is metered parking, leaving limited parking for those residents living on the east side of Baldwin Avenue between Montgomery Street and Mercer Street.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation

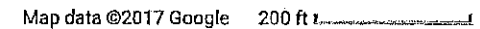


Signature of Department Director

6/9/17

Date
6/21/17

Date

Regional High School 

 The Beacon
Google

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-092
TITLE: 3.G JUN 28 2017 4.G

JUL 19 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article VIII (Permit Parking) amending Section 332-58 (Parking Restrictions in Residential Zones) of the Jersey City Traffic Code extending Zone 2 Residential Permit Parking to include Baldwin Avenue from Mercer Street to Montgomery Street.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 19 2017 9-0											
Councilperson WATTERMANN moved, seconded by Councilperson RIVERA to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson moved to amend* Ordinance, seconded by Councilperson & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on

JUN 28 2017

Adopted on second and final reading after hearing on

JUL 19 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

JUL 19 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President

Date JUL 19 2017

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

Date JUL 20 2017

Date to Mayor JUL 20 2017

City Clerk File No. Ord. 17-093

Agenda No. 3.H 1st Reading

Agenda No. 4.H 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-093

TITLE:

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE REPEALING THE NO PARKING ANY TIME ON THE NORTH SIDE OF BRIGHT STREET BETWEEN CENTER STREET AND COLGATE STREET AND SECTION 332-31 (PARKING RESTRICTIONS FOR STREET CLEANING PURPOSES) AMENDING THE LIMITS FOR BRIGHT STREET FROM GRAND STREET TO CENTER STREET TO BATES STREET TO CENTER STREET

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (No Parking Any Time) of the Jersey City Code is hereby supplemented as follows:

Section 332-22 Parking prohibited at all times
No person shall park a vehicle on any of the streets or parts thereof described.

Name of Street	Side	Limits
Bright St	[Both] <u>South</u>	Center St to Colgate St

Section 332-31 Parking restrictions for street cleaning purposes.
No person shall park a vehicle upon any of the streets or sides of the streets either in whole or in part, during the hours of the days listed below.

Name of Street	Side	Days of the Week	Hours	Limits
Bright St	North	M and Th	8:00 a.m. to	[Grand] <u>Bates</u> St to Center St
	South	Tu and F	10:00 a.m.	
	South	M and Th	8:00 a.m. to	Cornelison Av to Merseles St
	North	Tu and F	10:00 a.m.	

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

4. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material to be inserted is underscored; all material to be repealed is in [brackets].

AV:pcl
(06.07.17)

APPROVED: [Signature]
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: [Signature]
Municipal Engineer
APPROVED: _____
Business Administrator

Corporation Counsel

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE REPEALING THE NO PARKING ANY TIME ON THE NORTH SIDE OF BRIGHT STREET BETWEEN CENTER STREET AND COLGATE STREET AND SECTION 332-31 (PARKING RESTRICTIONS FOR STREET CLEANING PURPOSES) AMENDING THE LIMITS FOR STREET CLEANING ON BRIGHT STREET FROM GRAND STREET TO CENTER STREET TO BATES STREET TO CENTER STREET

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Andrew Vischio, P.E. at the request of Councilman Rivera	Director of Traffic & Transportation
Phone/email	201.547.4419	AVischio@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

Repeal the “no parking any time” on the north side of Bright Street from Center Street to Bates Street in order to increase parking availability.

Amend the parking restriction for street cleaning purposes on Bright Street from Grand Street to Center Street to Bates Street to Center Street. Bright Street does not intersection with Grand Street.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation

6/9/17

Date

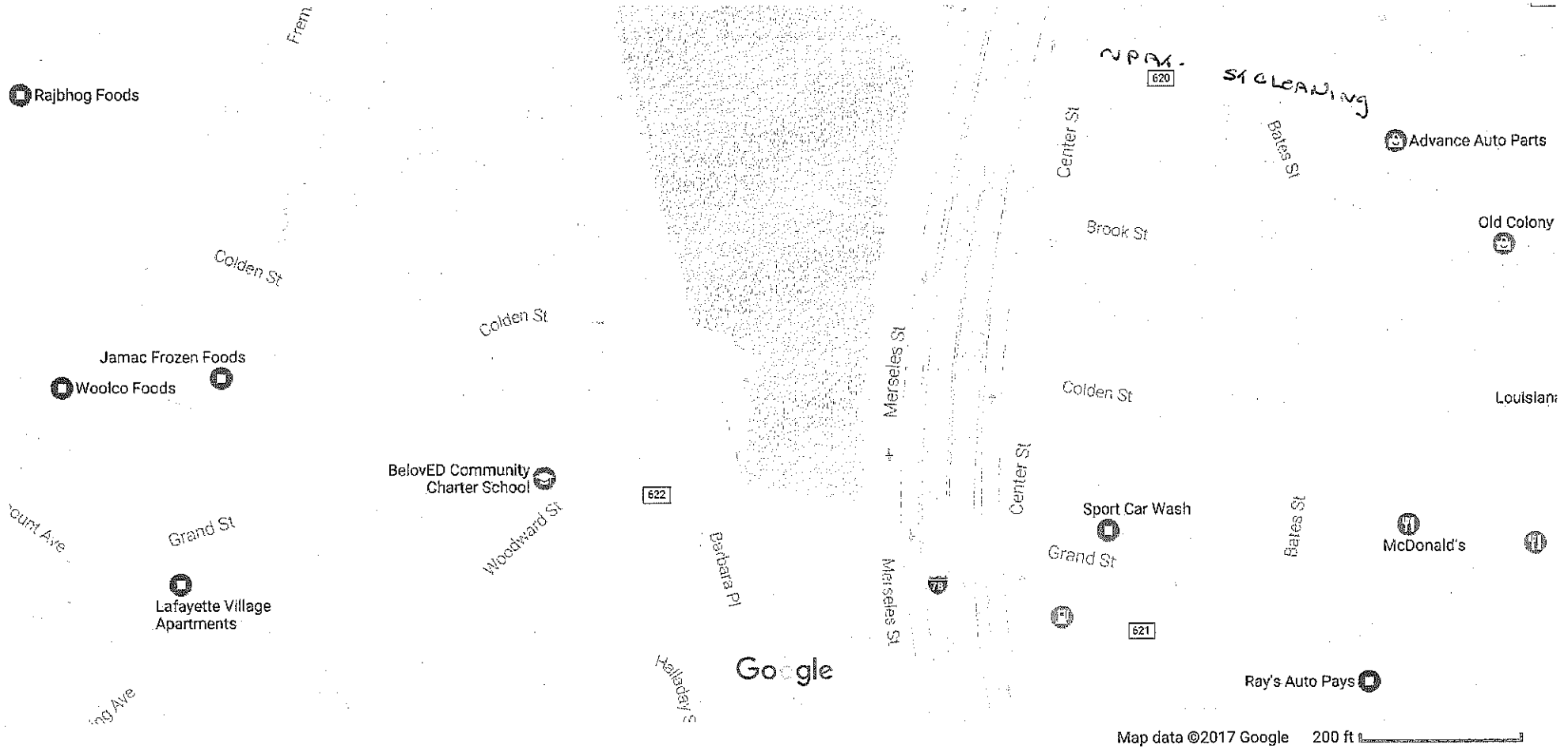


Signature of Department Director

6/21/17

Date

Google Maps



Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-093

TITLE: 3.H JUN 28 2017 4.H JUL 19 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) Amending Section 332-22 (Parking Prohibited at All Times) of the Jersey City Code repealing the No Parking Any Time on the north side of Bright Street between Center Street and Colgate Street and Section 332-31 (Parking Restrictions for Street Cleaning Purposes) amending the limits for Bright Street from Grand Street to Center Street to Bates Street to Center Street.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 19 2017 9-0											
Councilperson <u>RIVERA</u>				moved, seconded by Councilperson <u>OSBORNE</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 28 2017

Adopted on second and final reading after hearing on JUL 19 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 19 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUL 19 2017

APPROVED:

Steven M. Fulop, Mayor

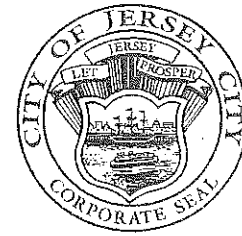
Date JUL 20 2017

Date to Mayor JUL 20 2017

City Clerk File No. Ord. 17-095

Agenda No. 3-J 1st Reading

Agenda No. 4.J 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-095

TITLE: ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-9 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 19401, LOT 19.06, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 435-437 BERGEN AVENUE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City as an area in need of rehabilitation, is authorized to adopt an ordinance to utilize tax exemptions pursuant to N.J.S.A. 40A:21-1, et seq., the Five (5) Year Exemption and Abatement Law; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., the City of Jersey City adopted Ordinance 05-060, Section 304-6 et seq. of the Municipal Code, to allow Five (5) Year Tax Exemptions which allows the Tax Assessor to regard the full and true value or a portion thereof of certain improvements as not increasing the full and true value of certain property for a period of five (5) years, provided the owner's application is approved by the Tax Assessor and by Ordinance of the Municipal Council; and

WHEREAS, pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code, a tax exemption for a new five (5) story mixed-use market rate rental building with approximately seventy-two (72) residential rental units and approximately 2,150 square feet of ground floor commercial space and fifty (50) parking spaces; and

WHEREAS, Bergen Avenue Investments LLC [Entity], is the owner of Property designated as Block 19401, Lot 19.06, on the City's Tax Map and more commonly known by the street address of 435-437 Bergen Avenue, Jersey City, NJ; and

WHEREAS, the Entity now plans to construct a new five (5) story mixed-use market rate rental building with approximately seventy-two (72) residential rental units and approximately 2,150 square feet of ground floor commercial space and fifty (50) parking spaces; and

WHEREAS, construction is projected to be completed within eighteen (18) to twenty four (24) months of approval of the exemption; and

WHEREAS, on or about May 2017, the Entity filed an application for a five (5) year tax exemption to construct a five (5) story mixed-use market rate rental building with approximately seventy-two (72) residential rental units and approximately 2,150 square feet of ground floor commercial space and fifty (50) parking spaces; and

WHEREAS, Bergen Avenue Investments LLC proposes to pay the City (in addition to the full taxes on the land, which shall continue to be conventionally assessed and are currently taxed at the sum of \$32,768) a tax payment for the new improvements on the property, estimated as follows:

ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-9 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 19401, LOT 19.06, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 435-437 BERGEN AVENUE

- (a) Year 1: the tax year in which the structure will be completed. \$0 taxes;
- (b) Year 2: the second tax year, 20% of actual full taxes, estimated to be \$32,462;
- (c) Year 3: the third tax year, 40% of actual full taxes, estimated to be \$66,222;
- (d) Year 4: the fourth tax year, 60% of actual full taxes, estimated to be \$101,319; and
- (e) Year 5: the fifth tax year, 80% of actual full taxes, estimated to be \$137,794;

WHEREAS, the Tax Assessor has determined that the new construction will generate an additional tax payment of \$32,768 for land and \$172,243 for improvements, for a total of \$205,011 a year; and

WHEREAS, the applicant has agreed that in the event the Citywide revaluation results in a decrease in the estimated amount of actual taxes otherwise due, then for purposes of calculating a tax payment hereunder and for the five (5) year period, the amount shall be calculated on the higher of the amount estimated hereunder or the actual taxes otherwise due; and

WHEREAS, the application for tax exemption was complete and timely filed; the application was approved by the Tax Assessor and the commercial Project is eligible for tax exemption pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code; and

WHEREAS, upon the expiration of the tax exemption, the total assessment will generate a total tax payment of \$205,011; and

WHEREAS, Bergen Avenue Investments LLC has agreed to pay the sum of \$135,017 to the City's Affordable Housing Trust Fund.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The application, attached hereto, for a new five (5) year tax exemption for the full and true value of the five (5) story mixed-use market rate rental building with approximately seventy-two (72) residential rental units and approximately 2,150 square feet of ground floor commercial space and fifty (50) parking spaces, located in Block 19401, Lot 19.06 on the City's Tax Map and more commonly known by the street address of 435-437 Bergen Avenue, Jersey City, N.J is hereby approved.

2. The Mayor or Business Administrator is hereby authorized to execute a tax exemption agreement which shall contain at a minimum, the following terms and conditions:

- (a) estimated tax payment on the new improvements shall be:
 - (i) Year 1: the tax year in which the structure will be completed. \$0 taxes;

ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-9 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 19401, LOT 19.06, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 435-437 BERGEN AVENUE

- (ii) Year 2: the second tax year, 20% of actual full taxes, estimated to be \$32,462;
- (iii) Year 3: the third tax year, 40% of actual full taxes, estimated to be \$66,222;
- (iv) Year 4: the fourth tax year, 60% of actual full taxes, estimated to be \$101,319; and
- (v) Year 5: the fifth tax year, 80% of actual full taxes, estimated to be \$137,794.

The applicant has agreed that in the event the Citywide revaluation results in a decrease in the amount of actual taxes otherwise due for purposes of calculating a tax payment hereunder; during this five (5) year period, the amount due hereunder shall be calculated on the higher of the amount estimated above or the actual taxes due after the revaluation; and

(b) The project shall be subject to all federal, state and local laws, and regulations on pollution control, worker safety, discrimination in employment, zoning, planning, and building code requirements pursuant to N.J.S.A. 40A:21-11(b).

(c) If, during any tax year prior to the termination of the tax agreement, the property owner ceases to operate or disposes of the property, or fails to meet the conditions for qualifying, then the tax which would have otherwise been payable for each tax year shall become due and payable from the property owner as if no exemption and abatement had been granted. The collector forthwith ad the tax collector shall, within 15 days thereof, notify the owner of the property of the amount of taxes due.

(d) With respect to the disposal of the property, where it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, no tax shall be due, the exemption shall continue, and the agreement shall remain in effect.

(e) At the termination of a tax exemption agreement, the new improvements shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit a project, at the termination of an agreement, from qualifying for, an receiving the full benefits of, any other tax preferences provided by law.

(f) Affordable Housing Trust Fund: \$1,500 per unit or \$108,000 and \$1.50 per square foot x 18,011 square feet of commercial and parking spaces or \$27,017, for a total of \$135,017.

3. The form of tax exemption agreement is attached hereto as Exhibit B, subject to such modification as the Corporation counsel or Business Administrator deems necessary.

4. The Tax Assessor shall send a copy of the fully executed Financial Agreement will be sent to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of execution pursuant to N.J.S.A. 40a:21-11(d).

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-9 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 19401, LOT 19.06, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 435-437 BERGEN AVENUE

B. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This ordinance shall take effect at the time and in the manner provided by law.

D. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JM/mw
6/21/17

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-9 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 19401, LOT 19.01, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 435 BERGEN AVENUE

Initiator

Department/Division	Office of the Mayor	Office of the Deputy Mayor
Name/Title	Marcos D. Vigil	Deputy Mayor
Phone/email	201-547-6542	mvigil@jenj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

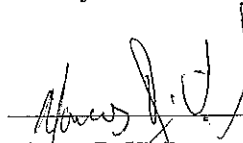
The applicant, Bergen Avenue Investments, LLC, is applying for a five (5) Year tax abatement for a five (5) story, mixed-use market rate rental project pursuant to N.J.S.A. 40 A: 21-1 et seq.

The property is located at the North-East corner of Bergen and Clendenny Avenues. It is Block 19401, Lot 19.06 on the Jersey City Tax Map. It will be known as 435 Bergen Avenue. The property is located in the R-3 Multi-Family Mid-Rise District.

The project will be a five (5) story building with seventy-two (72) market rate residential rental units. There will also be 2,150 square feet of ground floor commercial space and fifty (50) parking spaces. The residential units will be broken down as follows:

<u>Unit Type</u>	<u>Number of Units</u>
One Bedroom	49
Two Bedroom	23
Total	72

I certify that all the facts presented herein are accurate.



Marcos D. Vigil
Deputy Mayor

June 21, 2017

Date

DATE: May 25, 2017

TO: John Hallanan (For distribution to City Council and City Clerk)

FROM: Al Cameron, Fiscal Officer - Tax Collector's Office

**SUBJECT: FIVE YEAR TAX ABATEMENT: MIXED USE MARKET RATE RENTAL PROJECT
Bergen Avenue Investments, LLC - Block 19401 Lot 19.01**

CC: C. A. Doyle, J. Monahan, E. Borja, E. Toloza, M. Vigil, R. Kakoleski, R. Lavarro, R. Field, P. Leandre, K. Kane

INTRODUCTION:

The applicant, Bergen Avenue Investments, LLC, is applying for a five (5) Year tax abatement for a five (5) story, mixed-use market rate rental project pursuant to N.J.S.A. 40 A: 21-1 et seq. A fee of \$10,000 was paid with the application.

LOCATION OF THE PROPERTY:

The property is located at the North-East corner of Bergen and Clendenny Avenues. It is Block 19401, Lot 19.06 on the Jersey City Tax Map. It will be known as 435 Bergen Avenue. The property is located in the R-3 Multi-Family Mid-Rise District.

PROPERTY TO BE CONSTRUCTED:

The project will be a five (5) story building with seventy-two (72) market rate residential rental units. There will also be 2,150 square feet of ground floor commercial space and fifty (50) parking spaces

The residential units are as follows:

<u>Unit Type</u>	<u>Number of Units</u>
One Bedroom	49
Two Bedroom	<u>23</u>
Total	<u>72</u>

TOTAL CONSTRUCTION COST:

The cost of construction is certified by the applicant's architect, Anwar Alkhatib, at \$9,000,000.

The cost of labor is projected at \$3,600,000 and materials at \$5,400,000. Architectural and Engineering costs estimated at \$225,000 are additional.

CONSTRUCTION SCHEDULE:

The applicant is prepared to start construction start once all approvals are in place. Completion is projected within eighteen (18) to twenty- four (24) months of commencement.

ESTIMATED JOBS CREATED:

The applicant estimates two hundred (200) full-time equivalent jobs during construction. Ten (10) post construction positions are anticipated. Based upon the projected cost of construction a Project labor agreement is not required. However; the applicant will execute a Project Employment and Contracting Agreement.

AFFORDABLE HOUSING TRUST FUND CONTRIBUTION:

AHTF Payment
Bergen Investments, LLC

		Rate	Amount
Residential Units	72	\$1,500.00	\$108,000.00
Parking Sq. Ft.	15,861	\$1.50	\$23,791.50
Commercial Sq. Ft.	2,150	\$1.50	\$3,225.00
		Total AHTF Payment	<u>\$135,016.50</u>

CURRENT REAL ESTATE TAXES:

The new assessment provided by the Tax Assessor for the land is \$425,500 and the proposed building assessment is \$2,066,300. Based upon that assessment at the current rate of \$77.01 the tax for the land is 32,767.76. The full tax on the improvements at current the rate is \$159,125.76.

PROPOSED ABATEMENT:

The applicant has requested a term of five (5) years for the abatement on the improvements. The Applicant will pay the full land tax in each and every year of the abatement and has proposed a phase-in of the assessment on improvements.

In year one (1) the applicant proposes no taxes on improvements.

In year two (2) the applicant would pay taxes on twenty percent (20%) of the improvements.

The applicant would pay forty percent (40%) in year three (3), sixty percent (60%) in year four (4), Eighty percent (80%) in year five (5) and full taxes in year six (6).

PROPOSED REVENUE TO THE CITY:

The total phased-in tax on improvements projected to be paid for the five-year term of the abatement is \$337,797.03.

The total tax exempted on the improvements for the term is \$490,299.83. The Tax the assessment is based upon information provided by the applicant.

The schedule below adds a two percent (2%) annual increase in the tax rate. The Assessor's Schedule does not include a projected increase in the Tax Rate.

Block 19401 Lot 19.06

Tax Projections on Improvements Only

Bergen Investments, LLC						Five Year
Year	1	2	3	4	5	Totals
Current Tax Rate	77.01	78.55	80.12	81.72	83.36	
Full Tax on Improvements	159,125.76	162,308.28	165,554.44	168,865.53	172,242.84	828,096.86
Phase in %	0%	20%	40%	60%	80%	
Phase in Tax on improvements	0.00	32,461.66	66,221.78	101,319.32	137,794.27	337,797.03
Exempted Tax	159,125.76	129,846.62	99,332.67	67,546.21	34,448.57	490,299.83

Assumes 2% Annual Tax Rate Increase

Per Tax Assessor

Assessments

Land \$425,500

Improvements \$2,066,300

Total \$2,491,800

FISCAL IMPACT COST PROJECTION (TIER 1 - 5 YEAR)

Block: 19401 Lot: 19.01 Loc: 435 BERGEN AVE.

Market Rate Units	Number of Units	Demographic Multipliers (Transit Oriented Development)*		Total		Annual Expenditures		Total Annual Expenditures		
		Household	Students	Residents	Students	Per Capita Municipal	Per Pupil Per School District	Municipal	School District	Total
1 Bedroom	49	1.421	0.050	69.63	2.45	\$1,172.97	\$3,673.00	\$81,672.93	\$8,998.85	\$90,671.78
2 Bedroom	23	2.012	0.120	46.28	2.76	\$1,172.97	\$3,673.00	\$54,280.49	\$10,137.48	\$64,417.97
TOTAL	72			115.91	5.21			\$135,953.42	\$19,136.33	\$155,089.75

1. Total Municipal Ratables		\$6,093,045,337	4. CY 2016 Budget		\$570,918,095	6. Population of Jersey City		9. Increase in Services Incurred Per Development	
						(2014 Census)		262,146	\$ 155,089.75
2. Residential Ratables		\$3,281,646,604				7. Per Capita Municipal Cost			
Commercial Ratables		\$1,524,059,780						\$1,172.97	
3. Residential Ratables as a Percentage of Total Ratables		53.86%	5. Residential Portion		\$307,490,150	8. Annual Expenditures Per Student**		\$3,673.00	
10. Anticipated Taxes (77.01 w/ 2% Annual Increase)									
								1st Year	\$ 32,767.76
								2nd Year	\$ 65,884.77
								3rd Year	\$ 100,313.35
								4th Year	\$ 136,092.72
								5th Year	\$ 173,263.15
11. Implied Surplus (Cost)									
								1st Year	\$ (122,322.00)
								2nd Year	\$ (89,204.99)
								3rd Year	\$ (54,776.40)
								4th Year	\$ (18,997.03)
								5th Year	\$ 18,173.39

Classic Average costing approach for projecting the impact of population change and local Municipal and School District costs

*Source: New Jersey Demographic Multipliers: Profile of the Occupants of Residential and Nonresidential Development; Listokin, November 2006

**Source: 2015-2016, Jersey City Municipal Cost Per Pupil

BERGEN AVENUE INVESTMENTS, LLC
BLOCK 19401 Lot 19.06
435 Bergen Avenue

19401-19.06

Block	Lot		Existing Assessments	New Assessments	Assessment (Phased-In)
19401	19.06	Land	313,500	425,500	-
		Bldg	-	2,066,300	2,066,300
		Total	313,500	2,491,800	2,066,300

**In-Lieu of Full Property Tax On Such Property, An
Amount Equal To A Percentage Of Taxes Otherwise Due,
According To The Following Schedule:**

Stage

1	In the first full tax year after completion, no payment in lieu of taxes otherwise due on improvement;	0
2	In the second tax year, an amount equal to 20% of conventional taxes otherwise due on improvement to be the sum of;	\$ 31,825.15
3	In the third tax year, an amount equal to 40% of conventional taxes otherwise due on improvement to be the sum of ;	\$ 63,650.31
4	In the fourth tax year, an amount equal to 60% of conventional taxes otherwise due on improvement to be the sum of;	\$ 95,475.46
5	In the fifth tax year, an amount equal to 80% of conventional taxes otherwise due on improvement to be the sum of;	\$ 127,300.61

AT THE EXPIRATION OF THE EXEMPTION, THE PROJECT'S
NEW IMPROVEMENT ANNUAL TAXES \$ 159,125.76
5/23/2017

Note: Annual increases on the tax rates are not reflected on subsequent years that is why these may differ on the Cost/Benefit Analysis done by Al Cameron.

TIER ONE (5 YEAR)
6/21/17
NJSA 40A:21-1 et seq
(Multiple Dwelling, Industrial, Commercial)

TAX AGREEMENT
FIVE YEAR/NEW CONSTRUCTION

THIS AGREEMENT made on this _____ day of _____, 2017, by and between the **CITY OF JERSEY CITY** [City], a municipal corporation organized under the Laws of the State of New Jersey and having its principal place of business at 280 Grove Street, Jersey City, New Jersey 07302, and, **BERGEN AVENUE INVESTMENTS LLC** [Applicant/Owner]; whose principal place of business is 1 Daniel Court, Paramus, New Jersey 07652.

WITNESSETH:

WHEREAS, the Municipal Council has indicated by its intention to utilize the five year tax exemption provisions authorized by Article VIII, Section I, paragraph VI of the NJ State Constitution and the Five Year Exemption Law, N.J.S.A. 40A:21-1 et seq. for improvements and projects by the adoption of Ordinance 05-060, as amended by Ordinances 07-146 and 14-027; and

WHEREAS, the Applicant is owner of certain property located at 435-437 Bergen Avenue, in the City of Jersey City, County of Hudson and State of New Jersey, designated as Block 19401, Lot 19.06 on the Tax Assessor's Map, more commonly known by the street address of 435-437 Bergen Avenue and more particularly described in the metes and bounds description attached hereto as Exhibit A [Property];

WHEREAS, on or about May 2017, the Applicant applied for a five year tax exemption to construct a new five (5) story mixed-use market rate rental building with approximately seventy-two (72) residential rental units and approximately 2,150 square feet of ground floor commercial space and fifty (50) parking spaces on the Property [Improvements] pursuant to N.J.S.A. 40A:21-1 et seq and Section 304-12 of the Municipal Code [Law]; and

WHEREAS, the City has reviewed the application, approved the construction of the Improvements and authorized the execution of a Tax Exemption Agreement by the adoption of Ordinance _____ on _____.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants hereinafter contained, the parties hereto agree as follows:

ARTICLE I: APPROVAL OF TAX EXEMPTION

The City hereby agrees to a tax exemption for the construction of a new five (5) story mixed-use market rate rental building with approximately seventy-two (72)

residential rental units and approximately 2,150 square feet of ground floor commercial space and fifty (50) parking spaces [Improvements] on the Property, as further described in the Application, attached hereto as Exhibit B, pursuant to the provisions of N.J.S.A. 40A:21-1 et seq. and Ordinance _____ which authorized the execution of this Tax Agreement [Law], subject to the terms and conditions hereof.

ARTICLE II: IN LIEU OF TAX PAYMENTS

The Applicant agrees to make estimated payments on the new Improvements, (separate and apart from taxes on the land and existing improvements which shall continue to be subject to conventional assessment and taxation and for which the Applicant shall receive no credit against the in lieu of tax payment) in lieu of full property tax payments according to the following schedule:

1. For the full calendar of Year 1, no payment in lieu of taxes;
2. For the full calendar of Year 2, twenty (20%) percent of the actual taxes otherwise due, currently estimated to be the sum of \$32,462;
3. For the full calendar of Year 3, forty (40%) percent of the actual taxes otherwise due, currently estimated to be the sum of \$66,222;
4. For the full calendar of Year 4, sixty (60%) percent of the actual taxes otherwise due, currently estimated to be the sum of \$101,319; and
5. For the full calendar of Year 5, eighty (80%) percent of the actual taxes otherwise due, currently estimated to be the sum of \$137,794.

In the event a City-wide revaluation results in decrease in the amount of taxes otherwise due, payment hereunder shall be the higher of either the taxes estimated above or the amount of actual taxes after the City-wide revaluation.

ARTICLE III: APPLICATION FEE

The Applicant has paid the sum of \$10,000 to the City as an application fee. Failure to make such payment shall cause the tax exemption to terminate.

ARTICLES IV: FEDERAL, STATE AND LOCAL LAW

The construction of the Improvements is subject to all applicable federal, State and local laws and regulations on pollution control, worker safety, discrimination in employment, housing provision, zoning, planning and building code requirements.

ARTICLE V: TERM OF EXEMPTION

The Tax Exemption granted shall be valid and effective for a period of five (5) full years beginning the first day of the month after the date of Substantial Completion of the Project, which shall ordinarily mean the date on which the City issues, or the Project is eligible to receive, a Certificate of Occupancy, whether temporary or final, for part or the whole of the Project. During the term of the tax exemption, the Applicant shall make an in lieu of tax payment to the City in accordance with the schedule set forth above. Prior to the commencement of the tax exemption, and upon expiration thereof, the Applicant shall pay full conventional taxes on the Improvements.

ARTICLE VI: REVALUE

The applicant has agreed that in the event the revalue results in a decrease in the amount of actual taxes otherwise due, for purposes of calculating a tax payment hereunder during the five (5) year period, the amount shall be calculated on the higher of the amount estimated hereunder or the actual taxes.

ARTICLE VII: NO COUNTY EQUALIZATION AND SCHOOL AID

Pursuant to N.J.S.A. 40A:21-11(c), the percentage, which the payment in lieu of taxes for the tax exempt property bears to the property tax which would have been paid had an exemption not been granted for the property under this Agreement, shall not be applied to the valuation of the property to determine the reduced valuation of the property to be included in the valuation of the City for determining equalization for county tax apportionment and school aid, during the term of the tax exemption agreement covering this property. At the expiration or termination of this Agreement, the reduced valuation procedure required under the Law shall no longer apply.

ARTICLE VIII: OPERATION OR DISPOSITION OF PROPERTY

If during any year prior to the termination of this Agreement, the Applicant ceases to operate or disposes of the Property, or fails to meet the conditions for qualifying for tax exemption under this Agreement or pursuant to Law, then the tax which would have otherwise been payable for each and every year, shall become due and payable from the Applicant as if no exemption had been granted. The Tax Collector shall, within 15 days thereof, notify the owner of the Property of the amount of taxes due.

However, with respect to the disposal of the property, if it is determined that the new owner will continue to use the property pursuant to the conditions which qualify the property for exemption, the tax exemption shall continue and this Agreement shall remain in full force and effect.

ARTICLE IX: AFFORDABLE HOUSING TRUST FUND
CONTRIBUTION REQUIRED

A. **Contribution.** The Entity will pay the City the sum of \$135,017 or \$1,500 x 72 units and \$1.50 x 18,011 square feet of commercial and parking spaces as a contribution. The sum shall be due and payable as follows:

- i. 1/3 on or before the effective date of the Ordinance approving the tax exemption;
- ii. 1/3 on or before the issuance of the first of any construction permit for the Project, but no later than six months after the date of the Tax Agreement; and
- iii. 1/3 on or before the date the first of any Certificate of Occupancy is issued for the Project, but no later than twenty-four (24) months after the date of the Tax Agreement.

ARTICLE X: TERMINATION/ELIGIBILITY
FOR ADDITIONAL TAX EXEMPTION

Upon the termination of this Agreement for tax exemption, the Project shall be subject to all applicable real property taxes as provided by State Laws and Regulations and City Ordinances. However, nothing herein shall be deemed to prohibit the Project, at the termination of this Agreement, from qualifying for and receiving the full benefits of any other tax preferences allowed by law. Furthermore, nothing herein shall prohibit the Applicant from exercising any rights under any other tax provisions of State law or City Ordinances.

In the event the owner elects to terminate this tax abatement after the revalue, the owner shall pay the City the difference of 100% of the full amount of the taxes otherwise due from the 1st year of this agreement to the date of termination.

ARTICLE XI: PROJECT EMPLOYMENT
AND CONTRACTING AGREEMENT

In order to provide City residents and businesses with employment and other economic opportunities, the Applicant agrees to comply with the terms and conditions of the Project Employment & Contracting Agreement which is attached hereto as Exhibit C.

ARTICLE XII: NOTICES

All notices to be given with respect to this Agreement shall be in writing. Each notice shall be sent by registered or certified mail, postage prepaid, return receipt requested, to the party to be notified at the addresses set forth below or at such other address as either party may from time to time designate in writing:

Notice to City:

Business Administrator
City Hall, 280 Grove Street
Jersey City, New Jersey 07302

Notice to Applicant:

Bergen Avenue Investments LLC
1 Daniel Court
Paramus, New Jersey 07652

ARTICLE XIII: GENERAL PROVISIONS

This Agreement contains the entire Agreement between the parties and cannot be amended, changed or modified except by written instrument executed by the parties hereto.

In the event that any provisions or term of this Agreement shall be held invalid or unenforceable by a Court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof; provided, however, that the City continues to receive the full benefit of any economic term hereunder.

This Agreement shall be governed by and construed in accordance with the Laws of the State of New Jersey.

This agreement may be executed in several counterparts, each of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the City and the Applicant have caused this Agreement to be executed on the date and year first above written.

WITNESS:

BERGEN AVENUE INVESTMENTS LLC

BY: _____
Member

ATTEST:

CITY OF JERSEY CITY

THE UNIVERSITY OF CHICAGO PRESS

Robert Byrne
City Clerk

BY: Robert J. Kakoleski
Business Administrator

PROJECT EMPLOYMENT & CONTRACTING AGREEMENT

This Project Employment & Contracting Agreement is made on the ____ day of ____, 2017, between the **CITY OF JERSEY CITY** [City] and **BERGEN AVENUE INVESTMENTS LLC** [Recipient], having its principal office at 1 Daniel Court, Paramus, New Jersey 07652.

I. Definitions:

The following words and terms, when used in this agreement, shall have the following meanings unless the context clearly indicates otherwise.

1. "City" means the Business Administrator of the City of Jersey City, or his designee, including any person or entity which enters into an agreement with the City to implement, in whole or in part, this agreement.
2. "Contractor" means any party performing or offering to perform a prime contract on behalf of the Recipient.
3. Construction Contract means any agreement for the erection, repair, alteration or demolition of any building, structure, bridge, roadway or other improvement on a Project Site.
4. "Economic Incentive" means a tax abatement or tax exemption for a property or project which requires approval of the Municipal Council.
5. "Employment" includes positions created as a result of internal promotions, terminations, or expansions within the Recipient's work force which are to be filled by new employees. However, positions filled through promotion from within the Recipient's existing work force are not covered positions under this agreement.
6. Jersey City Employment and Training Corporation or "JCEPT" means the non-profit quasi public Entity with whom the City has an operating agreement to undertake certain employment services.
7. "Local Business" means a bona fide business located in Jersey City.
8. "Minority" means a person who is defined as such under federal or state law.
9. "Minority or Woman Owned Local Business" means a bona fide business located in Jersey City which is fifty-one (51%) percent or more owned and controlled by either a Minority or woman.
10. "Non-Traditional Jobs" means jobs which are held by less than twenty (20%) percent women, as reported by the New Jersey Department of Labor and Workforce

Development, Division of Labor Market, and Demographic Research for Jersey City, which report shall be on file with the City Clerk.

11. "Office of Tax Abatement and Compliance" located at 15 East Linden Avenue, Suite 200. The Office of Tax Abatement and Compliance, under the Department of Administration, is in charge of monitoring projects receiving tax abatements and monitoring Project Employment & Contracting Agreements.
12. "Permanent Jobs" mean newly created long term salaried positions, whether permanent, temporary, part time or seasonal.
13. "Project or Project Site" means the specific work location or locations specified in the contract.
14. The "Project Employment & Contracting Coordinator" or "Coordinator" is the employee in the Department of Administration presently, the Executive Director of the Jersey City Employment & Training Program, Inc., who is in charge of coordinating Project Employment & Contracting projects. Contractors and developers engaged in projects covered by Project Employment & Contracting Agreements will direct inquiries to the Coordinator. The Coordinator may refer a developer to the JCEPT or its one-stop career center so long as the City and JCEPT agreement is in full force and effect.
15. The "Project Employment & Contracting Monitor" or "Monitor" is the employee in the Department of Administration who is in charge of monitoring the site, collecting the reports and documentation, and other day-to-day Project Employment & Contracting administration as stipulated by this agreement.
16. The "Project Employment & Contracting Officer" or "Officer" is an employee of the Recipient who is designated by the Recipient to make sure the Recipient is in compliance with the Recipient's Project Employment & Contracting agreement.
17. "Recipient" means any individual, partnership, association, organization, corporation or other entity, whether public or private, or for profit or non-profit, or agent thereof, which receives an Economic Incentive and shall include any Contractor, Subcontractor or agent of the Recipient.
18. "The Registry" or "Jersey City Employment Registry" means a data base maintained by the City or its designee, of Jersey City residents seeking employment and Local Businesses, including Minority or Woman Owned Local Businesses, seeking contracts.
19. "Subcontract" means a binding legal relationship involving performance of a contract that is part of a prime contract.
20. "Subcontractor" means a third party that is engaged by the prime Contractor to perform under a subcontract all or part of the work included in an original contract.

21. "Substantial Completion" means the determination by the City that the Project, in whole or in part, is ready for the use intended, which ordinarily shall mean the date on which the Project receives, or is eligible to receive any Certificate of Occupancy for any portion of the Project.

II. Purpose: Construction Jobs, Business Contracting, Permanent Jobs

The City wishes to assure continuing employment opportunities for City residents, particularly residents who are Minorities, and business opportunities for Local Businesses, especially Minority and Women Owned Local Businesses, with employers located in or relocating to the City who are the Recipients of Economic Incentives. The City has determined to accomplish that goal by requiring the Recipient of an Economic Incentive to act in Good Faith, as defined herein, and discharge its obligations under this Agreement. To the extent mandated by State and Federal law and so long as the Entity discharges its Good Faith obligations under this agreement, the City acknowledges that the Recipient and its contractors are free to hire whomever they choose.

Because this project is not subject to the terms of a Project Labor Agreement during construction, this agreement shall apply to all Construction Jobs, Business Contracts and non-construction Permanent Jobs. Recipients are also required to notify any commercial tenants of employment services available from the City.

III. Recipient Designee:

The Recipient shall designate a principal officer of its firm to be responsible for administering the agreement detailed herein and to report to and confer with the City in order to discharge its Good Faith obligations as defined in this agreement. This officer should be designated as the Project Employment & Contracting Officer.

The Recipient shall send a letter designating its "Project Employment & Contracting Compliance Officer" to the Project Employment & Contracting Coordinator prior to any preconstruction meetings. An example of this letter can be found in Appendix 1. This Officer should also be present for all preconstruction meetings.

The Recipient should send a letter regarding the "Project Employment & Contracting Compliance Officer" to the employees of the Recipient's company. An example of this letter can be found in Appendix 2.

IV. Term:

This agreement shall be in effect for a period co-terminus with the effective period of the tax exemption [the Economic Incentive]. Thus, it will commence on the date the City Council adopted Ordinance _____, approving the tax exemption and terminate 5 years from the date of Substantial Completion of the Project.

V. **Good Faith Goals:**

In the event the Recipient is able to demonstrate that its work force already meets the goals set forth below or is able to meet such goals during the term of this agreement, the Recipient shall only be required to submit the periodic certified manning and certified payroll reports described below to confirm ongoing compliance. All other Recipients must comply with the following Good Faith goals.

1. **Employment (Construction and Permanent Jobs):** The Recipient shall make a Good Faith effort to achieve the goal of a work force representing fifty-one (51%) percent City residents, fifty-one (51%) percent of whom are residents who are Minorities and, in Non-Traditional Jobs, six point nine (6.9%) percent of whom are residents who are women, it being understood that one employee may satisfy more than one category.
2. **Business Contracting:** The Recipient shall make a Good Faith effort to achieve the goal of awarding twenty (20%) percent of the dollar amount of its contracts to Local Businesses, fifty-one (51%) percent of which shall be Minority or Women Owned Local Businesses. If fifty-one (51%) percent of Minority or Women Owned Local Businesses cannot be obtained, that percentage of contracts must still be applied to local vendors.

VI. **Good Faith Defined. Construction Jobs:**

1. **Construction Jobs:** Good Faith shall mean compliance with all of the following conditions:

A. Initial Manning Report:

- i) Prior to the commencement of their work on the Project, each Contractor /Subcontractor shall prepare an Initial Manning Report.
- ii) The Initial Manning Report should contain an estimate of the total hours in each construction trade or craft and the number of hours to be worked by City residents, including a list of the number of minority residents and women residents that will work in each trade or craft, including the work hours to be performed by such employees of any and all Contractors and Subcontractors. Attached hereto as Appendix B is the Recipient's Initial Manning Report.
- iii) The Initial Manning Report shall be filed with the Project Employment and Contracting Monitor, who must accept said Report prior to the Recipient entering into any construction contract. An example of this acceptance letter is given in Appendix C.

B. Developer's Contracting Obligations

- i) Once the developer submits the project's initial manning report, he/she must forward a letter with requests for quotation or bid to Mayor Steven M. Fulop's Office of Diversity and Inclusion for local and minority vendors for any

construction or building operating goods, services and sub-contracting opportunities. An example of this letter is given in Appendix D.

- ii) The developer shall make a good faith effort to contact those businesses and individuals who submit bids. This effort must be documented by letter, which will be sent to Mayor Steven M. Fulop's Office of Diversity and Inclusion at PROJECT EMPLOYMENT & CONTRACTING MONITOR under the Department of Administration. An example of this letter can be found in Appendix D2.

C. Contractor's/Subcontractor's Compliance Statement

Prior to commencement of their work on the Project, each Contractor or Subcontractor must agree in writing to comply with this agreement and the employment goals elaborated herein. An example of this Compliance Statement can be found in Appendix E.

D. Union Statement of Using Its Best Efforts

- i) Prior to commencement of their work on the Project, the contractor/subcontractor must submit a statement expressing its adherence to the Project Employment & Contracting Agreement to each union with which he/she has a collective bargaining agreement covering workers to be employed on the project.
- ii) The Compliance Statement shall include a union statement for the particular union to sign, which claims the union will use its best efforts to comply with the employment goals articulated in the Project Employment & Contracting agreement. This compliance statement is detailed in Appendix F. A copy of the signed compliance statement must be sent to the Project Employment & Contracting Monitor in PROJECT EMPLOYMENT & CONTRACTING MONITOR under the Department of Administration before work starts in order for a developer to be in compliance.
- iii) The Recipient will require the Contractor or Subcontractor to promptly notify the City of any refusal or failure of a union to sign the statement. If a particular union refuses to sign a statement, the Recipient will document its efforts to obtain such statement and the reasons given by the union for not signing such statement, and submit such documentation to the Project Employment & Contracting Monitor in PROJECT EMPLOYMENT & CONTRACTING MONITOR under the Department of Administration.

E. Sub-Contractors

The developer shall require that each prime contractor be responsible for the compliance of his/her subcontractors with the aforementioned Project Employment & Contracting requirements during the performance of the contract. Whenever the contractor sub-contracts a portion of the work on the project, the contractor shall bind the subcontractor to the obligations contained in these supplemental conditions to the full extent as if he/she were the contractor.

F. Union Apprentices

The contractor is responsible for assuring that resident and minority apprentices account for at least fifty (50%) percent of the total hours worked by union apprentices on the job in each trade listed in which apprentices are employed, according to the apprentice-to-journey-worker ratio contained in the collective bargaining agreement between the various unions, and shall hold each of his/her subcontractors to this requirement. The Recipient will require the contractor or subcontractor to promptly notify the City of any refusal of a union to utilize resident and minority apprentices.

G. Monthly Manning Report

- i) The Recipient will cause the Contractor to complete and submit Monthly Project Manning Reports to the Project Employment & Contracting Monitor in PROJECT EMPLOYMENT & CONTRACTING MONITOR under the Department of Administration by the seventh day of the month following the month during which the work is performed, for the duration of the contract.
- ii) The report will accurately reflect the total hours in each construction trade or craft and the number of hours worked by City residents, including a list of the number of minority resident and women resident workers in each trade or craft, and will list separately the work hours performed by such employees of the Contractor and each of its Subcontractors during the previous month. The Monthly Manning Report shall be in the form attached hereto as Appendix G.
- iii) The Recipient is responsible for maintaining or causing the Contractor to maintain records supporting the reported work hours of its Contractors or Subcontractors.

H. Monthly Certified Payroll Report

- i) The Recipient will cause the Contractor to furnish the Project Employment & Contracting Monitor with copies of its weekly Certified Payroll reports. The reports will specify the residence, gender and ethnic/racial origin of each worker, work hours and rate of pay and benefits provided. The Certified Payroll report shall be in the form attached hereto as Appendix H.
- ii) Payroll reports must be submitted on a monthly basis with the Monthly Manning Report or the Recipient is no longer in compliance.

I. Equal Employment Opportunity Reports

Prior to commencement of work on the Project, the Recipient will request copies of the most recent Local Union Report (EEO-3) and Apprenticeship Information Report (EEO-2) which are required to be filed with the US Commission of Equal Employment Opportunity Commission by the collective bargaining unit. These reports will be forwarded to the Project

Employment & Contracting Monitor within one month of the signing of the Project Employment & Contracting Agreement.

J. Other Reports

In addition to the above reports, the Recipient shall furnish such reports or other documents to the City as the City may request from time to time in order to carry out the purposes of this agreement.

K. Records Access

The Recipient will insure that the City will have reasonable access to all records and files reasonably necessary to confirm the accuracy of the information provided in the reports.

L. Work Site Access For Monitor

- i) The City will physically monitor the work sites subject to this agreement to verify the accuracy of the monthly reports. Each work site will be physically monitored approximately once every two weeks, and more frequently if it is deemed reasonably necessary by the City. The City's findings shall be recorded in a "Site Visit Report." An example of a bi-weekly site visit report can be found in Appendix I.
- ii) The Recipient shall require the Contractor and Sub-contractor to cooperate with the City's site monitoring activities and inform the City as to the dates they are working at the Project site. This includes specifically instructing the on-site construction manager about the monitoring process, and informing him/her that the monitor will contact him/her to set up an initial meeting. In the case of projects with multiple locations, the Recipient shall inform the City of the dates they are working at each site location(s) where they are working, in order to facilitate the monitoring.

VII. Good Faith Defined. Permanent Jobs:

1. **Permanent Jobs:** Good Faith shall mean compliance with all of the following conditions:

- A. Pre-hiring Job Awareness: At least eight (8) months prior to the hiring of a Recipient's permanent workforce, the Project Employment & Contracting officer for the Recipient will meet with the Coordinator, including the director of JCETP to discuss how the Recipient plans to hire its permanent workforce. The following issues should be covered in this meeting:
 - i) whether subcontractors will be used in the hiring process.
 - ii) the specific types of jobs that need to be filled.
 - iii) the qualifications needed for these particular jobs.
 - iv) possible training programs offered by the permanent employer.

- v) the Recipient's goals and how it plans to meet these goals.
 - vi) any other issues which need to be addressed.
- B. Subcontractor Notification: If the Recipient decides to subcontract any portion or all of its permanent workforce, then the Recipient must receive a signed acknowledgment from the subcontracting party that it will abide by the Project Employment & Contracting Agreement before said subcontractor begins staffing permanent employees. The Recipient must forward a copy of the signed acknowledgment to the Project Employment & Contracting Monitor. An example of this signed acknowledgment can be found in Appendix 3.
- C. Subcontractor Pre-Hiring Job Awareness Meeting: Each subcontractor hired to staff permanent job positions must appoint a Project Employment & Contracting Officer to meet with the head of the Registry to discuss the same issues presented above in VI 1.A.(i)-(vi) and notify the City.
- D. Subcontractors of Subcontractors: Subcontractors of subcontractors are subject to the same requirements for the initial subcontractors.
- E. Documentation of Hiring Plan: Once the Pre-Hiring Job Awareness Meeting has taken place, the Recipient must put together a document with goals and totals for future permanent employment needs. This plan should summarize all that was discussed in the Pre-Hiring Awareness Meeting, list estimates for manpower needs, set residential and minority employment goals commensurate with the Project Employment & Contracting Agreement, and show how the Recipient plans to meet these goals. An example of this plan is found in Appendix 4.
- F. Pre-Hiring Notification: At least ten (10) working days prior to advertising for any employees, the Recipient or the Recipient's subcontractor shall provide the PROJECT EMPLOYMENT & CONTRACTING MONITOR and the JCEPT with a written notice, which shall state the job title, job description and minimum qualifications, rate of pay, hours of work and the hiring date for each position to be filled, in qualitative and objective terms which will enable the referral of qualified applicants to the Recipient.
- G. Advertisement: At the request of the City, or because the City does not have qualified applicants to refer to the Recipient, the Recipient will place an advertisement for the jobs in a newspaper which is regularly published in Jersey City. The Recipient must furnish the PROJECT EMPLOYMENT & CONTRACTING MONITOR with a copy of this advertisement.
- H. Pre-Hiring Interview: The Recipient shall interview any qualified applicants referred to it pursuant to the agreement. In the event advertisement is required, the Recipient agrees to interview any qualified persons responding to the advertisement.
- I. Monthly Employment Reports: The Recipient will submit written employment reports to the Project Employment & Contracting Monitor in the form to be provided by the City. The report will be submitted on the 1st day of every month. It will describe each job and

state whether the job was filled or held by a City resident, minority resident or woman resident and date of hire. The report will explain in writing the reasons why any qualified referred applicant (or in the event advertisement is required, any qualified person responding to the advertisement) was not hired and the reason therefore. The form of this report shall be in substantially the form found in Appendix 5, subject to such revision as the City deems appropriate and reasonable. Monthly reports may be extended to semi-annually reports once the initial workforce is hired.

- J. Record Access: The Recipient shall provide the City with reasonable access to all files and records including payroll and personnel information reasonably necessary to confirm the accuracy of the information set forth in the semi-annual reports.
- K. Work Place Access: The Recipient shall provide the City with reasonable access to the site to physically monitor the work site to verify the accuracy of the information set forth in the any reports.
- L. Other Reports, Documents: In addition to the above reports, the Recipient shall furnish such reports or other documents that the City may request from time to time in order to implement the purposes of this agreement.
- M. Incorporation of Agreement: The Recipient shall incorporate the provisions of this Agreement in all contracts, agreements and purchase orders for labor with any service, maintenance, security or management agent or Contractor engaged by the Recipient whose personnel will be assigned to the Recipient project.

VIII. Good Faith Defined. Business Contracts

- A. Good Faith shall mean compliance with all of the following conditions:

- i) Solicitation of Businesses:

- a) One month before the solicitation for any goods or services, the Recipient must forward a letter with a description of the goods or services to the Project Employment and Contracting Coordinator;
- b) The Recipient shall provide the City with a written Purchasing Report every month. The form of this report shall be in substantially the form found in Appendix 6.
- c) Pre-Hiring Notification: At least ten (10) working days prior to advertising for any employees, the Recipient or the Recipient's subcontractor shall provide the PROJECT EMPLOYMENT & CONTRACTING MONITOR and the JCEPT with a written notice, which shall state the job title, job description and minimum qualifications, rate of pay, hours of work and the hiring date for each position to be filled, in qualitative and objective terms which will enable the referral of qualified applicants to the Recipient.

- d) Advertisement: At the request of the City, or because the City does not have qualified applicants to refer to the Recipient, the Recipient will place an advertisement for the jobs in a newspaper which is regularly published in Jersey City. The Recipient must furnish the PROJECT EMPLOYMENT & CONTRACTING MONITOR with a copy of this advertisement.
 - e) Pre-Hiring Interview: The Recipient shall interview any qualified applicants referred to it pursuant to the agreement. In the event advertisement is required, the Recipient agrees to interview any qualified persons responding to the advertisement.
 - f) Monthly Employment Reports: The Recipient will submit written employment reports to the Project Employment & Contracting Monitor in the form to be provided by the City. The report will be submitted on the 1st day of every month. It will describe each job and state whether the job was filled or held by a City resident, minority resident or woman resident and date of hire. The report will explain in writing the reasons why any qualified referred applicant (or in the event advertisement is required, any qualified person responding to the advertisement) was not hired and the reason therefore. The form of this report shall be in substantially the form found in Appendix 5, subject to such revision as the City deems appropriate and reasonable. Monthly reports may be extended to semi-annually reports once the initial workforce is hired.
 - g) Record Access: The Recipient shall provide the City with reasonable access to all files and records including payroll and personnel information reasonably necessary to confirm the accuracy of the information set forth in the semi-annual reports.
 - h) Work Place Access: The Recipient shall provide the City with reasonable access to the site to physically monitor the work site to verify the accuracy of the information set forth in the any reports.
 - i) Other Reports, Documents: In addition to the above reports, the Recipient shall furnish such reports or other documents that the City may request from time to time in order to implement the purposes of this agreement.
 - j) Incorporation of Agreement: The Recipient shall incorporate the provisions of this Agreement in all contracts, agreements and purchase orders for labor with any service, maintenance, security or management agent or Contractor engaged by the Recipient whose personnel will be assigned to the Recipient project.
- B. The Recipient pledges not to use local and local minority vendors solely as conduits for vendors that are not local and minority owned. Any discovery by Project Employment and Contracting Monitor of a Recipient, using the masthead of a local or minority owned business as a way to get credit for local or minority employment when it should not, will immediately subject the Recipient to the penalties listed in Section VIII (d) below.

IX. Good Faith Defined. Commercial Tenants at the Project Site

Good Faith shall mean compliance with all of the following conditions:

- A. The Recipient shall send all tenants of commercial space, including retail space, within the Project Site a Tenant Employment Services Guide in the form attached as Appendix 7.
- B. The Recipient shall require tenants of commercial, including any retail space to complete an annual questionnaire concerning the composition of the work force of each tenant. The completed questionnaire be submitted to the Project Employment & Contracting Monitor. The questionnaire shall be in the form attached as Appendix 8.
- C. The Recipient will send the results of its solicitation to the Project Employment & Contracting Monitor no later than December 1st of each year.

X. Notices of Violation:

- 1. Advisory Notice: The City will issue a written Advisory Notice to the Recipient if there is non-compliance with a Good Faith requirement as defined in this agreement. The Advisory Notice shall explain in sufficient detail the basis of the alleged violation. The Recipient shall have seven (7) days to correct the violation.
- 2. Violation Notice: If the alleged violation set forth in the Advisory Notice has not been corrected to the satisfaction of the City the City shall issue a Violation Notice to the Recipient. The Violation Notice shall explain in sufficient detail the basis of the alleged, continuing violation. The Recipient will have three (3) working days to correct the violation.
- 3. Correcting the Violation: Either or both the Advisory Notice or the Violation Notice may be considered corrected if the Recipient satisfies the requirements of this agreement and so advises the City in writing, subject to confirmation by the City.
- 4. Extension of Time to Correction: Either the Advisory Notice or the Violation Notice may be held in abeyance and the time for correction extended if the Recipient enters into satisfactory written agreement with the City for corrective action which is designed to achieve compliance. If Recipient fails to abide by the terms of such agreement the violation will be considered not corrected.

If the City determines that the Recipient is in violation after the expiration of the cure periods, the Recipient agrees that the City shall be entitled to the liquidated damages provided below.

XI. Liquidated Damages:

1. While reserving any other remedies the City may have at law or equity for a material breach of the above terms and conditions, the parties agree that damages for violations of this agreement by the Recipient cannot be calculated within any reasonable degree of mathematical certainty. Therefore, the parties agree that upon the occurrence of a material breach of any of the above terms and conditions and after notice and expiration of any cure period, the City will be entitled to liquidated damages from the Recipient in the following amounts:
 - A. Failure to file Initial Manning Report (Construction Jobs) or Pre-Hiring Notification (Permanent Jobs) or Pre-Contracting Notification (Business Contracts): an amount equal to five percent (5%) increase in the estimated annual service charge as set forth in the Financial Agreement for each quarter or part thereof that the Recipient is non-compliant.
 - B. Failure to conduct Pre-hiring Interviews or submit Compliance Statement (Submit description of goods or services, (Business Contracting): an amount equal to three (3%) percent of the estimated annual service charge as set forth in the Financial Agreement for each quarter or part thereof that the Recipient is non compliant.
2. Failure to allow record or work place access or submit any other required reports (all categories): an amount equal to three (3%) percent increase service charge as set forth in the Financial Agreement for each quarter or part thereof that the Recipient is non compliant.
3. The use of the local or local minority business' masthead for labor or work supplied by a non local or local minority vendor: An amount equal to ten (10%) service charge as set forth in the Financial Agreement for each quarter or part thereof, the Recipient is non compliant.

XII. Notices

Any notice required hereunder to be sent by either party to the other, shall be sent by certified mail, return receipt requested, addressed as follows:

1. When sent by the City to the Recipient it shall be addressed to:

Bergen Avenue Investment, LLC
1 Daniel Court
Paramus, New Jersey 07652

With a copy to:

Connell Foley, LLP
Harborside Financial Center
2510 Plaza Five
Jersey City, New Jersey 07311
James C. McCann, Esq.

and

2. When sent by the Recipient to the City, it shall be addressed to:

City of Jersey City
Office of Tax Abatement Compliance
15 East Linden Avenue, Suite 200
Jersey City, New Jersey 07305
Att: Office Director

and

Director of Jersey City Employment and Training Program, Inc
895 Bergen Avenue - 2nd Floor
Jersey City, New Jersey 07306
Att: Executive Director

with separate copies to the Mayor and the Business Administrator.

XIII. Appendix

These forms are examples only and shall be in substantially the form on file in the Division of Economic Opportunity, subject to modifications from time to time by the City as necessary or appropriate.

1. Letter designating Recipient's Project Employment & Contracting Officer
2. Letter from Recipient to Employees of Recipient's Company
3. Acknowledgment of PECA compliance of Subcontractor
4. Example of Hiring Plan
5. Example of Monthly Employment Report
6. Example of Monthly Purchasing Report
7. Tenant Employment Services Guide
8. Commercial Retail Annual Questionnaire

XIV. Adoption, Approval, Modification:

This agreement shall take effect on the date that the Economic Incentive is approved by the Municipal Council.

XII. Controlling Regulations and Laws:

To the extent required by State and Federal Law and so long as the Entity discharges its Good Faith obligations under this agreement, the City agrees and acknowledges that the Recipient and its contractors are free to hire whomever they choose. If this agreement conflicts

with any collective bargaining agreement, the City agrees to defer to such agreements so long as the Recipient provides the City with a copy of the offending provision in the collective bargaining agreement.

In the event there are any conflicts between this Agreement and any Project Labor Agreement, then as it pertains to construction jobs covered by the PLA, the Project Labor Agreement shall govern. Wherever possible, this Agreement shall be interpreted consistently with the Project Labor Agreement.

ATTEST:

CITY OF JERSEY CITY

Robert Byrne
City Clerk

Robert J. Kakoleski
Business Administrator

WITNESS:

BERGEN AVENUE INVESTMENTS LLC

Managing Member

EXHIBIT A

A. Cover Page:

1. Name / Address / Email / Phone of the Applicant.
2. Applicable statute: Long Term / Short Term.
3. Address of the Property.
 - a) Block / Lot / Qualifier of the Property.
4. Type of proposed project:
5. Architect's contact information:
6. Attorney's contact information:

Please see the attached Application cover page and summary containing the above information.

**APPLICATION FOR TAX EXEMPTION
OF
435-437 Bergen Avenue**

In compliance with Executive Order #2015-007 dated September 3, 2015 of the Mayor of the City of Jersey City, the Applicant herewith submits the following information in support of its application for a Five Year Tax Exemption under and pursuant to N.J.S.A. 40A:21-1, et seq.

Applicant:	Bergen Avenue Investments LLC 1 Daniel Court Paramus, New Jersey 07652
Project:	A Mixed Use- Retail/Residential Project 72 Residential Units, 2,150 sq. ft. of Commercial/Retail Space, 50 Parking Spaces (hereinafter referred to as "Project") To be known as Block 19401, Lots 19.06 435 (residential entrance) and 437 (corner retail entrance) Bergen Avenue Jersey City, New Jersey 07304
Applicant's General Contractor:	TBD
Applicant's Architect:	Marchetto Higgins Stieve 1225 Willow Ave Hoboken, NJ 07030 (201) 795-1505
Applicant's Engineer:	Sean Savage, P.E. Matrix New World 442 Suite Route 36, Second Floor Eatontown, New Jersey 07724 732-888-2999
Applicant's Attorney:	Connell Foley LLP Harborside Financial Center 2510 Plaza Five Jersey City, NJ 07311 (201) 521-1000 jmccann@connellfolly.com Attn: James C. McCann, Esq.
Loan Advisor and/or Consultants:	None

APPLICATION

1. Identification of the Property:

The improvements are located on real property known as 435-437 Bergen Avenue (and described on the Tax Map of the City of Jersey City to be known as Block 19401, Lot 19.06 (f/k/a Lots 18, 19.01, 19.02, 19.03 and 19.04) (the "Property"), which has an area of approximately 0.594 acres (25,909 sq. ft.). The Property is a series of lots at the corner of Bergen Avenue and Clendenny Avenue. The Property is located within the R-3 Multi-Family Mid-Rise Zoning District. A metes and bounds description as well as a survey of the Property is attached as Exhibit C.

2. Type of Tax Exemption Requested:

Bergen Avenue Investments LLC, a Limited Liability Company, seeks a five year tax exemption pursuant to N.J.S.A. 40A:21-1, et. seq. (Five Year Tax Exemption Law). The Applicant requests that the tax agreement be based on the following formula, in accordance with the Law:

Project Taxes During Term of Exemption:

Year One:	\$32,798	(land tax only)
Year Two:	\$64,617	(land tax plus 20% of real estate taxes on improvements)
Year Three:	\$96,326	(land tax plus 40% of real estate taxes on improvements)
Year Four:	\$128,254	(land tax plus 60% of real estate taxes on improvements)
Year Five:	\$160,073	(land tax plus 80% of real estate taxes on improvements)

Following the expiration of the term of the exemption, the Applicant will pay full real estate taxes.

A Fiscal Plan for the management of the Project and a calculation and breakdown of the aforementioned real estate taxes is set forth in Exhibit J, attached hereto.

Based upon the above formula, it is estimated that the Project will generate real estate taxes payable to the City of Jersey City in the amount of approximately \$482,178 during the term of the abatement.

3. Term of Exemption:

The Applicant requests that the term of the exemption be for five (5) years beginning on the first day of the first calendar year following substantial completion of the Project (the "Exemption Commencement Date"), or the first day of the month after the project has received its final certificate of occupancy, and ending on the date that is one day prior to the fifth anniversary of the Exemption Commencement Date. See Exhibit F.

4. Improvements to be Constructed:

The Project is a five (5) story mixed use development containing seventy-two (72) residential dwelling units, approximately 2,150 square feet of ground floor retail/commercial space, resident amenity space and fifty (50) parking spaces.

The residential units will be distributed as follows: approximately forty-nine (49) one bedrooms and approximately twenty-three (23) two bedroom units. Each residential rental unit will have living, dining and kitchen areas. The proposed units will be market rate rental. Please see Exhibits E, G and L.

The Property is owned by the Applicant, and the Applicant will construct the Project.

5. Construction Schedule:

It is estimated that the Project will commence construction in June of 2017. It is estimated that total construction for the Project will be completed in eighteen to twenty-four (18-24) months. This construction schedule is subject to modification based on the time required to obtain the necessary governmental approvals and permits and Force Majeure. See Exhibit K.

6. Estimate of Construction Cost

The construction cost of the Project, as set forth in Exhibit H, is estimated to be \$9,225,000.00. The construction cost has been calculated in accordance with the provisions of N.J.S.A. 40A:21-3(j). Pursuant to N.J.S.A. 40A:21-3(j), estimated "cost" does not include land costs, soft costs (other than architectural and engineering costs), and financing costs. This estimated "Cost" differs from the total project cost calculation required under the Long Term Tax Exemption Law, pursuant to N.J.S.A. 40A:20-3(h). Construction costs have been estimated based upon information compiled by the Applicant.

7. Financing Structure:

Permanent financing for the Project will be through private equity and traditional institutional mortgage financing, estimated as follows:

	Amount	Interest Rate	Term
Private Capital Contribution	2,500,000	N/A	N/A
Construction Loan	7,500,000	3.75	10/30 years
Annual Debt Service	416,400		

See Exhibit I.

9. Municipal Land Use Approvals:

The Project is located in the R-3 Multi-Family Mid-Rise District, and complies with the zoning requirements of the Jersey City Land Development Ordinance and the Master Plan of the City of Jersey City or received the appropriate approvals to deviate from the requirements therein. The Project received Preliminary and Final Major Site Plan approval with all necessary variances from the Planning of the City of Jersey City on October 4, 2016 which was memorialized by way of Resolution on October 18, 2016. See Resolution attached as Exhibit L.

10. Real Estate Tax Assessments:

The real estate tax assessment information for the year 2016 for the Property is as follows:

BLOCK/LOT	LAND	IMPROVEMENT	TOTAL	GROSS TAX
19401/18	\$80,900	\$0	\$80,900	\$6,230.11
19401/19.01	\$38,100	\$0	\$38,100	\$2,934.08
19401/19.02	\$39,300	\$0	\$39,300	\$3,026.49
19401/19.03	\$39,200	\$0	\$39,200	3,018.79
19401/19.04	\$116,000	\$0	\$116,000	\$8,933.16
Total	\$313,500	\$0	\$313,500	\$24,142.63

11. Anticipated Land Value of the Property:

The Project's real estate tax assessment information for the year based upon consultation with the Jersey City Tax Assessor upon consolidation of the Property is anticipated to be as follows:

BLOCK/LOT	LAND	IMPROVEMENT	TOTAL	GROSS TAX
19401/19.06	\$425,500	\$2,063,800	\$2,491,800	\$191,891
Total	\$425,500	\$2,063,800	\$2,491,800	\$191,891

12. Status of Municipal Taxes and Other Charges:

All municipal real estate taxes and charges against the land upon which the Project is located will be paid in full. See the attached certification at Exhibit P.

13. Disclosure Statement:

A Disclosure Statement is attached hereto as Exhibit Q.

14. Certificate of Construction Commencement:

A Certification from the Applicant that the construction of the Project has not and will not commence prior to final approval and execution of a Tax Agreement between the City and the Applicant is attached hereto as Exhibit R, Sub-item 1.

15. Projected Job Creation:

It is projected that the Project will generate approximately 200 full-time equivalent construction jobs during the term of the construction as well as 10 direct full time jobs. See Exhibit R, Sub-items 1(a) and (b).

16. Compliance with State and Local Laws Certification:

A Certification by the Applicant that the Project meets the requirements of the laws of the State of New Jersey, as well as the Planning Board approval (see also the Applicant's resolution attached hereto as Exhibit L), and the Master Plan for Jersey City is attached

hereto as Exhibit R, Sub-item 2.

17. Diligent Inquiry Certification:

A Certification of the Applicant that all information contained in the Application is true and correct to the best of their knowledge after having made diligent inquiry is attached hereto as Exhibit R, Sub-item 3.

18. Certificate of Formation:

A copy of the Applicant's Certificate of Formation and authorizing resolution are attached hereto respectively as part of Exhibit Q, Sub-item 2.

19. Tax Agreement:

A Proposed draft Tax Agreement for the Applicant is attached hereto as Exhibit S, Sub-item 1. The Applicant's member(s) are parties to other Tax Agreements or Financial Agreements. See Exhibit B.

20. Affordable Housing Contribution:

Pursuant to the local ordinance regarding the Five Year Tax Exemptions, the Applicant intends to make an Affordable Housing Contribution of \$135,016.50 (seventy-two [72] residential units x \$1,500 per unit; 2,150 sq. ft. of retail space x \$1.50 per square foot, and 15,861 sq. ft. of parking garage space x \$1.50 per square foot) to the City of Jersey City. The Applicant intends to make this contribution in accordance with the City's current program, which requires one-third of the contribution (\$45,005.50) upon approval of the application; one-third of the contribution (\$45,005.50) upon the issuance of the first construction permit by the City of Jersey City but no later than 6 months from the effective date of the financial agreement; and one-third (\$45,005.50) upon the issuance of the first certificate of occupancy for the project, but not later than 24 months from the effective date of the financial agreement. See Exhibit N. Sub-item 1.

21. Chapter 441 Application and Fee:

The Application fee of \$10,000.00 was simultaneously paid to the City of Jersey City with the submission of the Application. See Exhibit U. The Applicant's Chapter 441 application is attached hereto as part of Exhibit T.

See attached Tax Exemption Checklist

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-095

TITLE: 3.J JUN 28 2017 4.J JUL 19 2017

Ordinance approving a five (5) year tax exemption pursuant to the provisions of N.J.S.A. 40A:21-1, et seq., and Section 304-9 of the Municipal Code for property designated as Block 194101, Lot 19.06, on the City's tax map and more commonly known by the street address of 435-437 Bergen Avenue.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 19 2017 9-0											
Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 28 2017
 Adopted on second and final reading after hearing on JUL 19 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 19 2017

Robert Byrne
 Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUL 19 2017

APPROVED:

Steven M. Fulop, Mayor

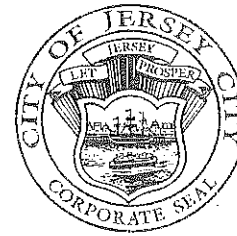
Date JUL 20 2017

Date to Mayor JUL 20 2017

City Clerk File No. Ord. 17-096

Agenda No. 3.K 1st Reading

Agenda No. 4.L 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-096

TITLE:

AN ORDINANCE AUTHORIZING AN AMENDMENT TO ORDINANCE 16.136 ADOPTED ON SEPTEMBER 14, 2016 TO AUTHORIZE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH GARDEN STATE EPISCOPAL COMMUNITY DEVELOPMENT CORPORATION FOR THE CONSTRUCTION OF FIVE (5) TWO-FAMILY HOMES FOR THE FIRST TIME HOME BUYERS PROGRAM

**COUNCIL OFFERED AND MOVED ADOPTION
OF THE FOLLOWING RESOLUTION:**

WHEREAS, Ordinance 16.136, adopted on September 14, 2016, authorized the City of Jersey City ("City") to execute a Development Agreement and transfer 90 Virginia Avenue, a/k/a Block 21101, Lot 57 ("Property") to Garden State Episcopal Community Development Corporation ("Garden State") for the sum of \$200,000.00; and

WHEREAS, Garden State is a duly incorporated nonprofit housing corporation organized for the purpose of constructing housing for low or moderate income families or persons; and

WHEREAS, Garden State will construct on the Property five (5) two-family homes ("Project") that will be affordable housing units under the City's First Time Home Buyers Program for a period of twenty (20) years; and

WHEREAS, the parties are preparing to close the sale of the Property; and

WHEREAS, the Development Agreement executed by the parties on November 3, 2016 erroneously indicated that the Project would be for "low and moderate" income families or persons; and

WHEREAS, it is the intention of the parties that the Project be for moderate income families or persons which means that the Project will be affordable to families or persons whose income is between 50%-80% of the area median income.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Jersey City that:

1. the above recitals are incorporated herein by reference;

AN ORDINANCE AUTHORIZING AN AMENDMENT TO ORDINANCE 16.136 ADOPTED ON SEPTEMBER 14, 2016 TO AUTHORIZE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH GARDEN STATE EPISCOPAL COMMUNITY DEVELOPMENT CORPORATION FOR THE CONSTRUCTION OF FIVE (5) TWO-FAMILY HOMES FOR THE FIRST TIME HOME BUYERS PROGRAM

2. the Development Agreement dated November 3, 2016 is amended to indicate that the Project is for moderate income families or persons; and
 3. the Mayor or Business Administrator is authorized to execute the First Amendment to the Development Agreement which is attached hereto.
-
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
 - B. This ordinance shall be a part of the Jersey City code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C. This ordinance shall take effect in the manner as prescribed by law.
 - D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore, underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

RR
6-22-17

RR
6-22-17

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☒

FIRST AMENDMENT OF THE DEVELOPMENT AGREEMENT DATED NOVEMBER 3, 2016 BETWEEN THE CITY OF JERSEY CITY AND GARDEN STATE EPISCOPAL COMMUNITY DEVELOPMENT CORPORATION FOR THE CONSTRUCTION OF AFFORDABLE HOUSING AT 90 VIRGINIA AVENUE

This First Amendment of the Development Agreement made this _____ day of _____ 2017 between the City of Jersey City ("City") and Garden State Episcopal Community Development Corporation (Garden State).

WHEREAS, Ordinance 16.136, adopted on September 14, 2016, authorized the City to execute a Development Agreement and transfer 90 Virginia Avenue, a/k/a Block 21101, Lot 57 ("Property") to Garden State for the sum of \$200,000.00; and

WHEREAS, Garden State is a duly incorporated nonprofit housing corporation organized for the purpose of constructing housing for low or moderate income families or persons; and

WHEREAS, Garden State will construct on the Property five (5) two-family homes ("Project") that will be affordable housing units under the City's First Time Home Buyers Program for a period of twenty (20) years; and

WHEREAS, the parties are preparing to close the sale of the Property; and

WHEREAS, the Development Agreement executed by the parties on November 3, 2016 erroneously indicated that the Project would be for "low and moderate" income families or persons; and

WHEREAS, it is the intention of the parties that the Project be for moderate income families or persons which means that the Project will be affordable to families or persons whose income is between 50%-80% of the area median income.

WHEREAS, it is necessary to amend the definitional section of Development Agreement to remove the word "low" from "low and moderate" and to amend Article VI, Section 6.02(a) of the Development Agreement to indicate that the Project is for moderate income families or persons.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein the parties agree as follows:

1. The words on page 3 of the Definitions section of the Development Agreement, "Low and Moderate" are changed to "Moderate."
2. Article VI, Section 6.02(a) of the Development Agreement is amended to indicate that the Project is for families or persons of moderate income.

3. All other terms, covenants, conditions, rights and liabilities of the parties as set forth in the Development Agreement dated November 3, 2016 shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Jersey City by its Mayor or Business Administrator and Garden State Episcopal Community Development Corporation by an authorized representative, have executed this Renewal and First Amendment of Lease Agreement and affixed their corporate seals thereto the day, month and year first above written.

ATTEST:

CITY OF JERSEY CITY

ROBERT BYRNE
City Clerk

Robert Kakoleski
Business Administrator

ATTEST:

**GARDEN STATE ESPISCOPAL
COMMUNITY DEVELOPMENT
CORPORATION**

RR
6-21-17

RESOLUTION FACT SHEET - CONTRACT AWARD

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

AN ORDINANCE AUTHORIZING AN AMENDMENT TO ORDINANCE 16.136 ADOPTED ON SEPTEMBER 14, 2016 TO AUTHORIZE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH GARDEN STATE EPISCOPAL COMMUNITY DEVELOPMENT CORPORATION FOR THE CONSTRUCTION OF FIVE (5) TWO-FAMILY HOMES FOR THE FIRST TIME HOME BUYERS PROGRAM

Project Manager

Department/Division	HEDC	Community Development
Name/Title	Carmen Gandulla	Director
Phone/email	547-5304	CGandulla@jcnj.org

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Contract Purpose

Ordinance 16.136, adopted 9-14-16, authorized the City to execute a Development Agreement and transfer 90 Virginia Ave. to Garden State Episcopal Community Development Corporation ("Garden State") for the sum of \$200,000.00. Garden State is a nonprofit housing corporation that constructs affordable housing. Garden State will construct 5 two-family homes (Project) that will be affordable housing units under the City's First Time Home Buyers Program for a period of 20 years. The parties are preparing to close the sale. The Development Agreement executed by the parties on 11-3-16 erroneously indicated that the Project would be for "low and moderate" income families or persons. The Project will be for moderate income families or persons. As a result, it is necessary to amend the Development Agreement to indicate this fact.

Cost (Identify all sources and amounts)

City will be paid \$200,000 for sale of property

Contract term (include all proposed renewals)

Twenty year affordable housing agreement

Type of award Not Applicable

If "Other Exception", enter type

Additional Information

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-096

TITLE: 3.K JUN 28 2017 4.K JUL 19 2017

An ordinance authorizing an amendment to Ordinance 16.126 adopted on September 14, 2016 to authorize an amendment to the development agreement with Garden State Episcopal Community Development Corporation for the construction of five (5) two-family homes for the First Time Home Buyers Program.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 19 2017 9-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 28 2017
 Adopted on second and final reading after hearing on JUL 19 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 19 2017

Robert Byrne
 Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUL 19 2017

APPROVED:

Steven M. Fulop, Mayor

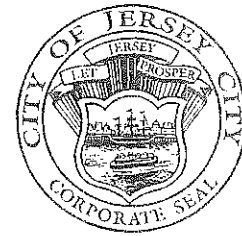
Date JUL 20 2017

Date to Mayor JUL 20 2017

10.5,
City Clerk File No. Ord. 17-082

Agenda No. 3.K 1st Reading

Agenda No. 4.J. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-082

TITLE:
**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE HARSIMUS COVE STATION REDEVELOPMENT
PLAN TO ALTER THE BUILDING REGULATING PLAN MAP AND INTENSITY
SUMMARY TABLE OF THE WEST NEIGHBORHOOD DISTRICT**

WHEREAS, the Local Redevelopment and Housing Law, NJSA 40A:12A-1et seq. permits municipalities to adopt and amend regulations dealing with areas declared to be "in need of redevelopment" and "in need of rehabilitation"; and

WHEREAS, the Municipal Council of the City of Jersey City adopted a redevelopment plan for Hudson Exchange Redevelopment Plan Area, now known as the Harsimus Cove Station Redevelopment Plan in 1983; and

WHEREAS, the Harsimus Cove Station Redevelopment Plan has been amended periodically since its adoption with sweeping changes made in March of 2012 to the West- Neighborhood District when a street grid plan was established for the property now occupied by Metro Plaza; and

WHEREAS, the Municipal Council of the City of Jersey City wishes to assure continued high quality design and development within the Harsimus Cove Station Redevelopment Plan area; and

WHEREAS, This ordinance makes changes to the West-Neighborhood District *Building Regulating Plan Map* by eliminating the one story first floor step-back on 4th street and other clarification amendments to the map. It also clarifies the footnotes of the *Intensity Summary Table*.
; and

WHEREAS, the Planning Board of Jersey City, at its meeting of May 16, 2017, reviewed this amendment and found there to be many advantages. The board recommended that the Municipal Council adopt the proposed amendments; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the proposed Amendments, attached hereto, as Recommended by the Jersey City Planning Board on May 16, 2017, be, and hereby is, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

APPROVED AS TO LEGAL FORM

Joanne Morahan
Corporation Counsel

Certification Required ☐

Not Required ☒

APPROVED:
Annisi Cialone, AICP, Planning Director

APPROVED:
Business Administrator
AST

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE HARSIMUS COVE STATION REDEVELOPMENT PLAN TO ALTER THE BUILDING REGULATING PLAN MAP AND INTENSITY SUMMARY TABLE OF THE WEST NEIGHBORHOOD DISTRICT

Initiator

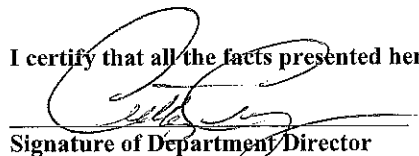
Department/Division	HEDC/Planning	
Name/Title	A. Cialone, AICP, Director <i>ACC</i>	M. Bucci-Carter, Supervising Planner, PP, AICP
Phone/email	201-457-5080 ; acialone@jcni.org	201-547-4499; maryannb@jcni.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

The Harsimus Cove Station Redevelopment Area West-Neighborhood District is bounded by the Hudson Hudson-Bergen Light Rail tracks on the east, Luis Munoz Marin Boulevard on the West, Sixth Street on the North, and Second Street to the South.

This ordinance makes changes to the West-Neighborhood District *Building Regulating Plan Map* by eliminating the one story first floor step-back on 4th street and other clarification amendments to the map. It also clarifies the footnotes of the *Intensity Summary Table*.

I certify that all the facts presented herein are accurate.


Signature of Department Director

Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE HARSIMUS COVE STATION REDEVELOPMENT PLAN TO ALTER THE BUILDING REGULATING PLAN MAP AND INTENSITY SUMMARY TABLE OF THE WEST NEIGHBORHOOD DISTRICT

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This ordinance makes changes to the West-Neighborhood District *Building Regulating Plan Map* by eliminating the one story first floor step-back on 4th street and other clarification amendments to the map. It also clarifies the footnotes of the *Intensity Summary Table*.

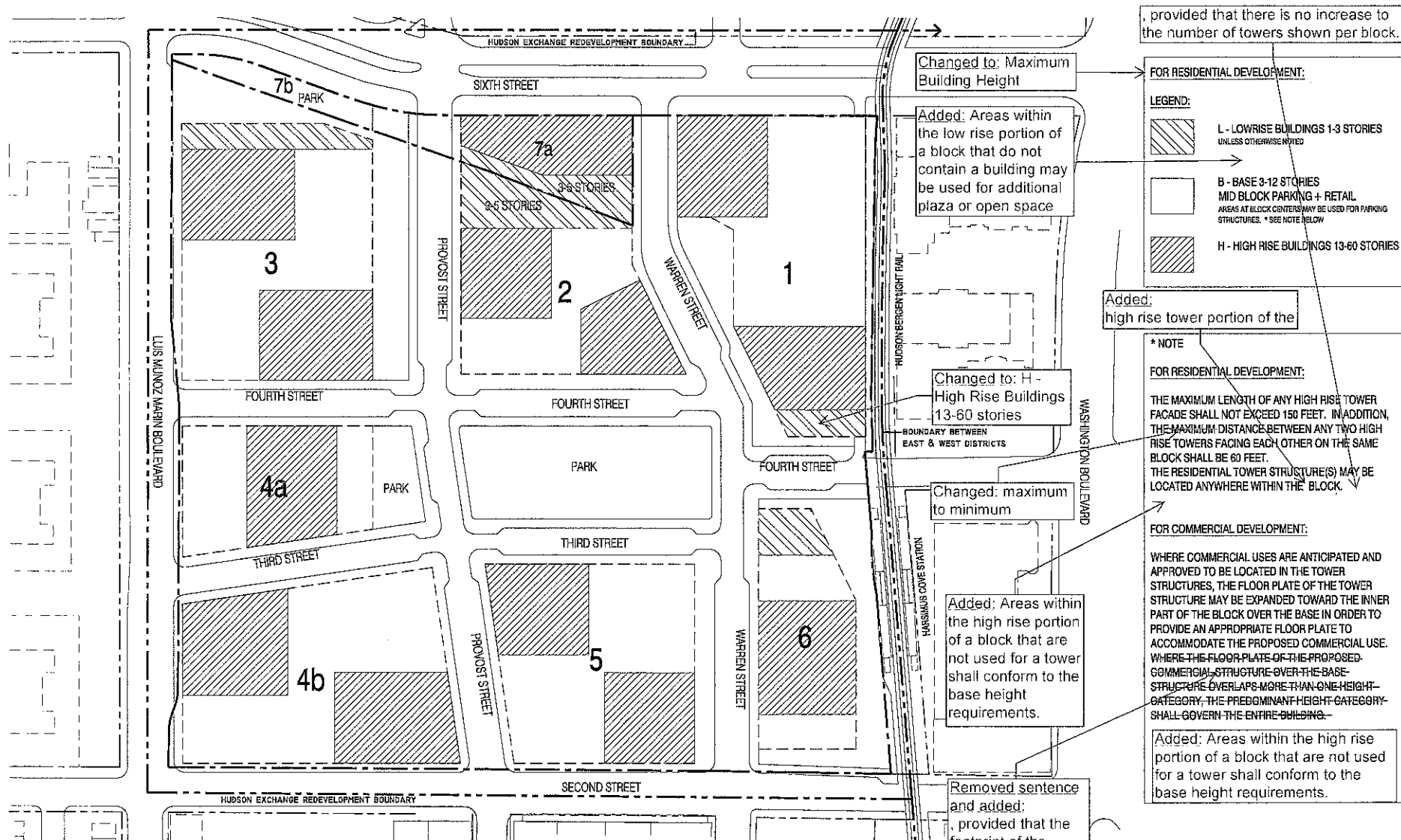
INTENSITY SUMMARY

Harsimus Cove Station West (Table 1)

Block #	Gross Area (Sq. Ft.)	Gross Area (Acres)	Net Area (Sq. Ft.)	Net Area (Acres)	Maximum DU	Maximum Floor Area
1	118,315	2.72	79,406	1.82	816	946,520
2	96,250	2.21	59,706	1.37	910	1,055,792
3	137,438	3.15	85,852	1.97	948	1,055,792
4a	74,919	1.72	39,973	0.92	517	599,352
4b	108,129	2.48	82,837	1.90	746	865,032
5	175,101	4.02	68,697	1.57	961	1,115,008
6	77,628	1.78	37,709	0.87	535	621,024
7a	28,292	0.65	23,726	.54	280	326,000
7b	12,469	0.29	8,817	.20	0	0
Total Maximum	828,540	19.02	486,423	11.16	5,713	6,628,232

TABLE FOOTNOTE:

- i. ***Total Maximum Floor area is inclusive of all residential and commercial floor area.***
- ii. ***The total maximum number of dwelling units, or the total maximum floor area shall never be exceeded except as permitted by the 25% shift described below in footnote iii.***
- iii. ***The maximum number of dwelling units (for residential development) and the maximum amount of floor area (for non-residential development) on any Block may be increased or decreased by up to 25% provided that a like number of dwelling units or floor area are added or deducted from another Development Block or Blocks within the Harsimus Cove Station West-Neighborhood District.***
- iv. ~~***The Total Maximum number of dwelling units and floor area shall never be exceeded***~~
 iv. All development applications must include a calculation of all dwelling units and floor area previously approved, previously constructed and currently being requested in order to properly monitor the total overall density and floor area within the District.



provided that there is no increase to the number of towers shown per block.

FOR RESIDENTIAL DEVELOPMENT:

LEGEND:

- L - LOWRISE BUILDINGS 1-3 STORIES UNLESS OTHERWISE NOTED
- B - BASE 3-12 STORIES MID BLOCK PARKING + RETAIL AREAS AT BLOCK CENTERS MAY BE USED FOR PARKING STRUCTURES. * SEE NOTE BELOW
- H - HIGH RISE BUILDINGS 13-60 STORIES

*** NOTE**

FOR RESIDENTIAL DEVELOPMENT:

THE MAXIMUM LENGTH OF ANY HIGH RISE TOWER FACADE SHALL NOT EXCEED 150 FEET. IN ADDITION, THE MAXIMUM DISTANCE BETWEEN ANY TWO HIGH RISE TOWERS FACING EACH OTHER ON THE SAME BLOCK SHALL BE 60 FEET. THE RESIDENTIAL TOWER STRUCTURE(S) MAY BE LOCATED ANYWHERE WITHIN THE BLOCK.

FOR COMMERCIAL DEVELOPMENT:

WHERE COMMERCIAL USES ARE ANTICIPATED AND APPROVED TO BE LOCATED IN THE TOWER STRUCTURES, THE FLOOR PLATE OF THE TOWER STRUCTURE MAY BE EXPANDED TOWARD THE INNER PART OF THE BLOCK OVER THE BASE IN ORDER TO PROVIDE AN APPROPRIATE FLOOR PLATE TO ACCOMMODATE THE PROPOSED COMMERCIAL USE. WHERE THE FLOOR PLATE OF THE PROPOSED COMMERCIAL STRUCTURE OVERLAPS MORE THAN ONE HEIGHT CATEGORY, THE PREDOMINANT HEIGHT CATEGORY SHALL GOVERN THE ENTIRE BUILDING.

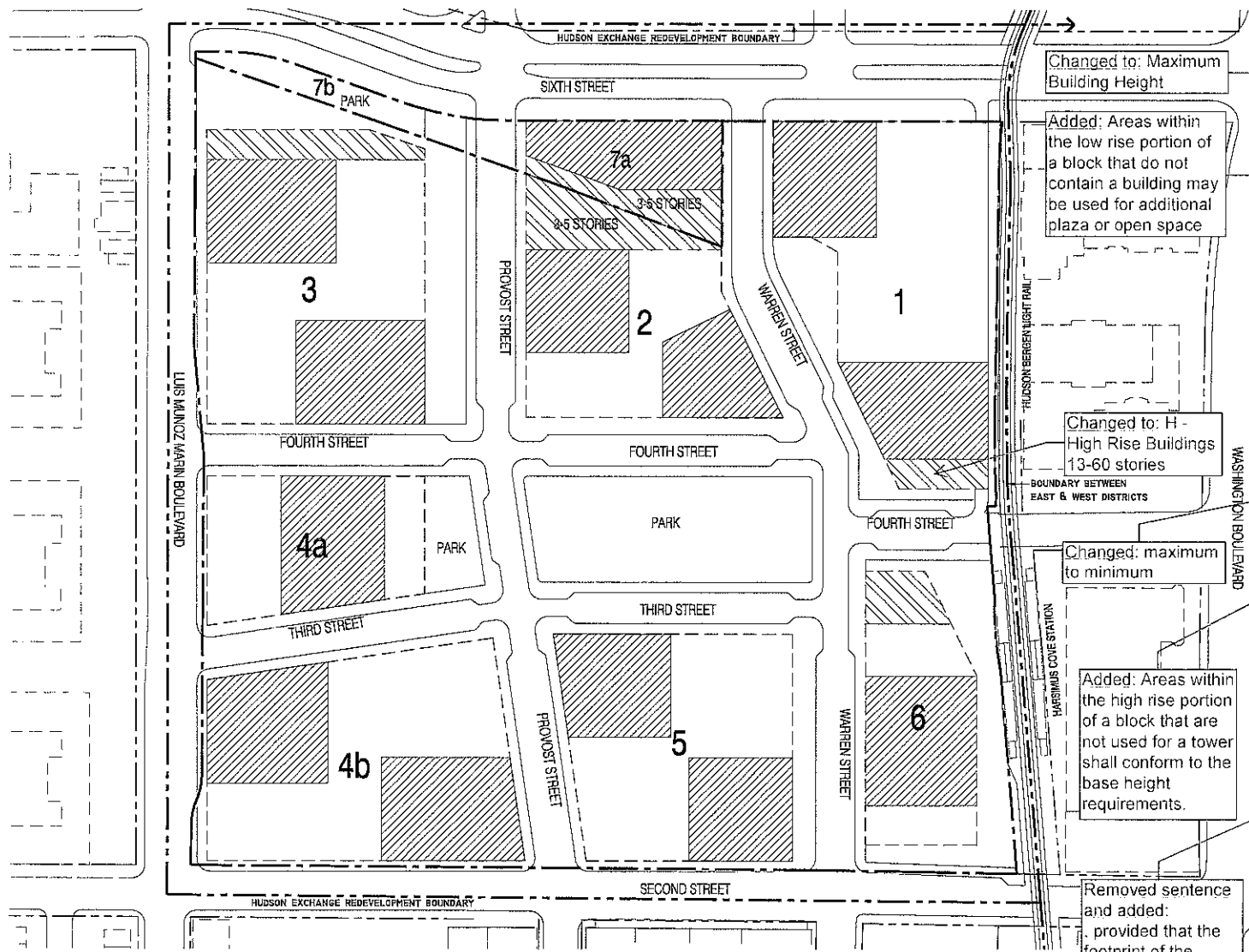
Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN

Date: September 15, 2014



provided that there is no increase to the number of towers shown per block.

Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

Changed to: H - High Rise Buildings 13-60 stories

BOUNDARY BETWEEN EAST & WEST DISTRICTS

Changed: maximum to minimum

Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

Removed sentence and added: provided that the footprint of the commercial tower shall not exceed 60% of the net area of the subject development block.

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Added: high rise tower portion of the

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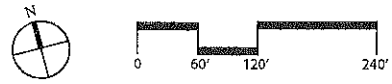
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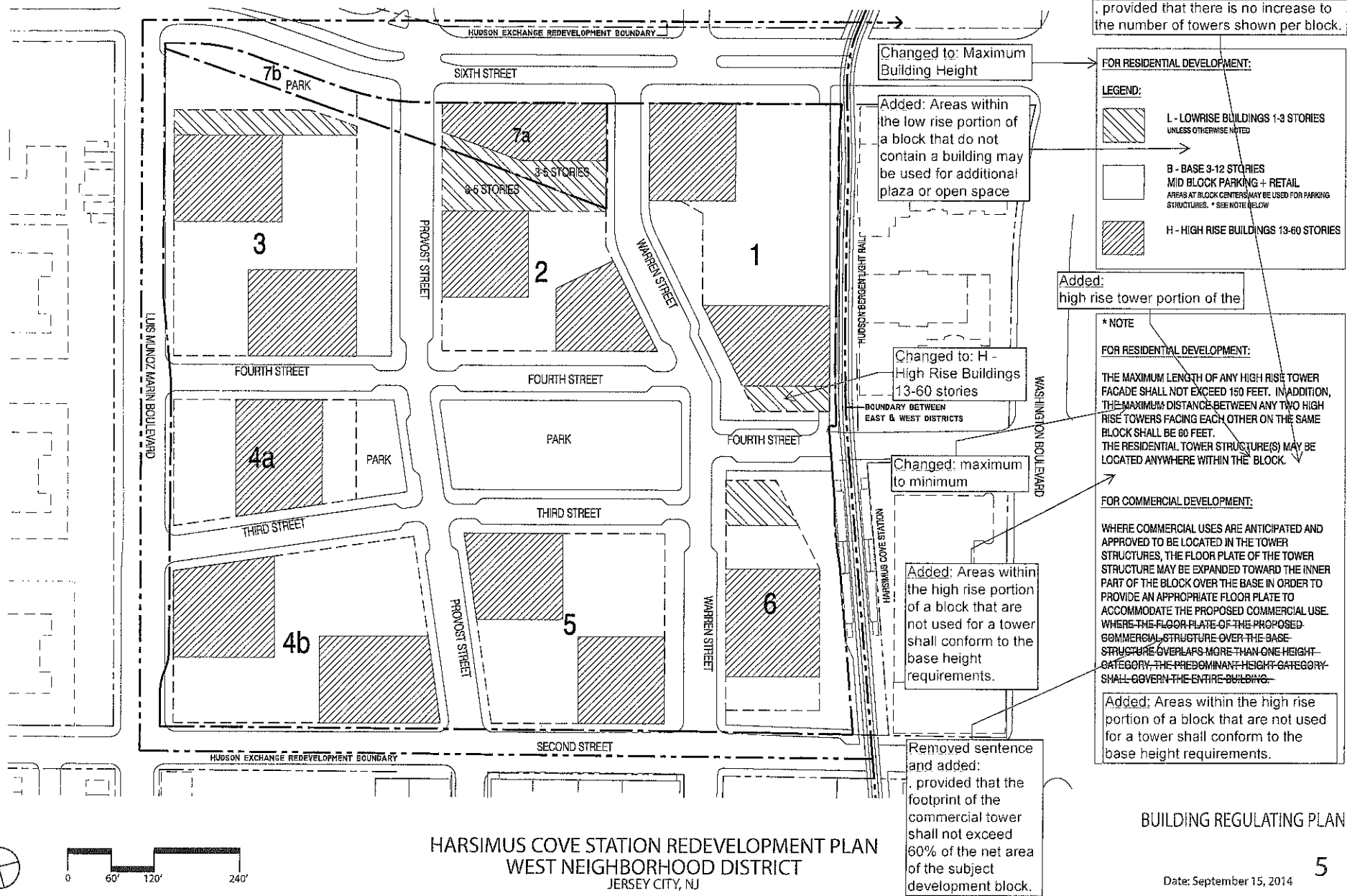
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BUILDING REGULATING PLAN

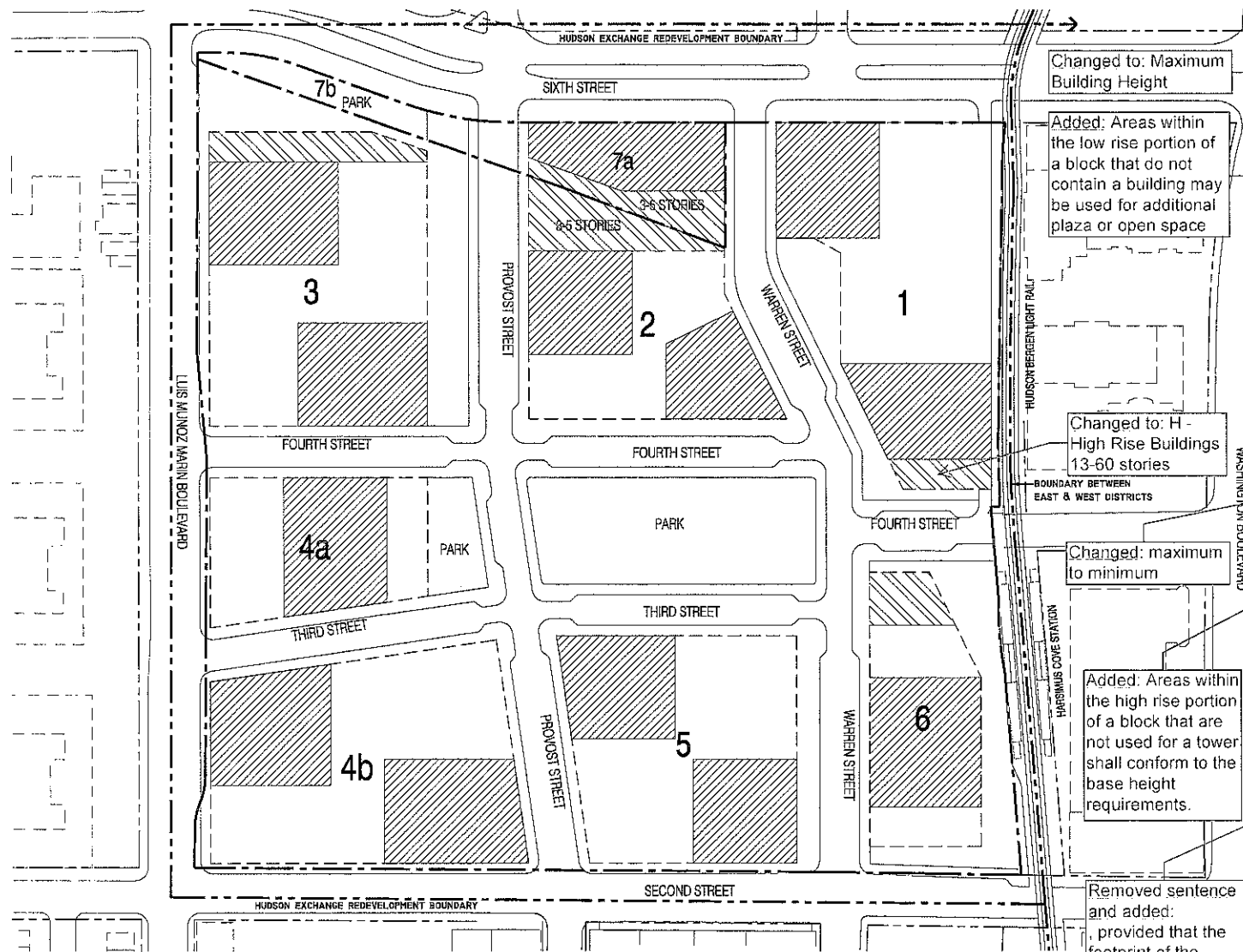
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BUILDING REGULATING PLAN

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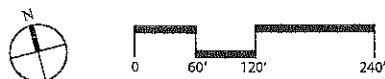
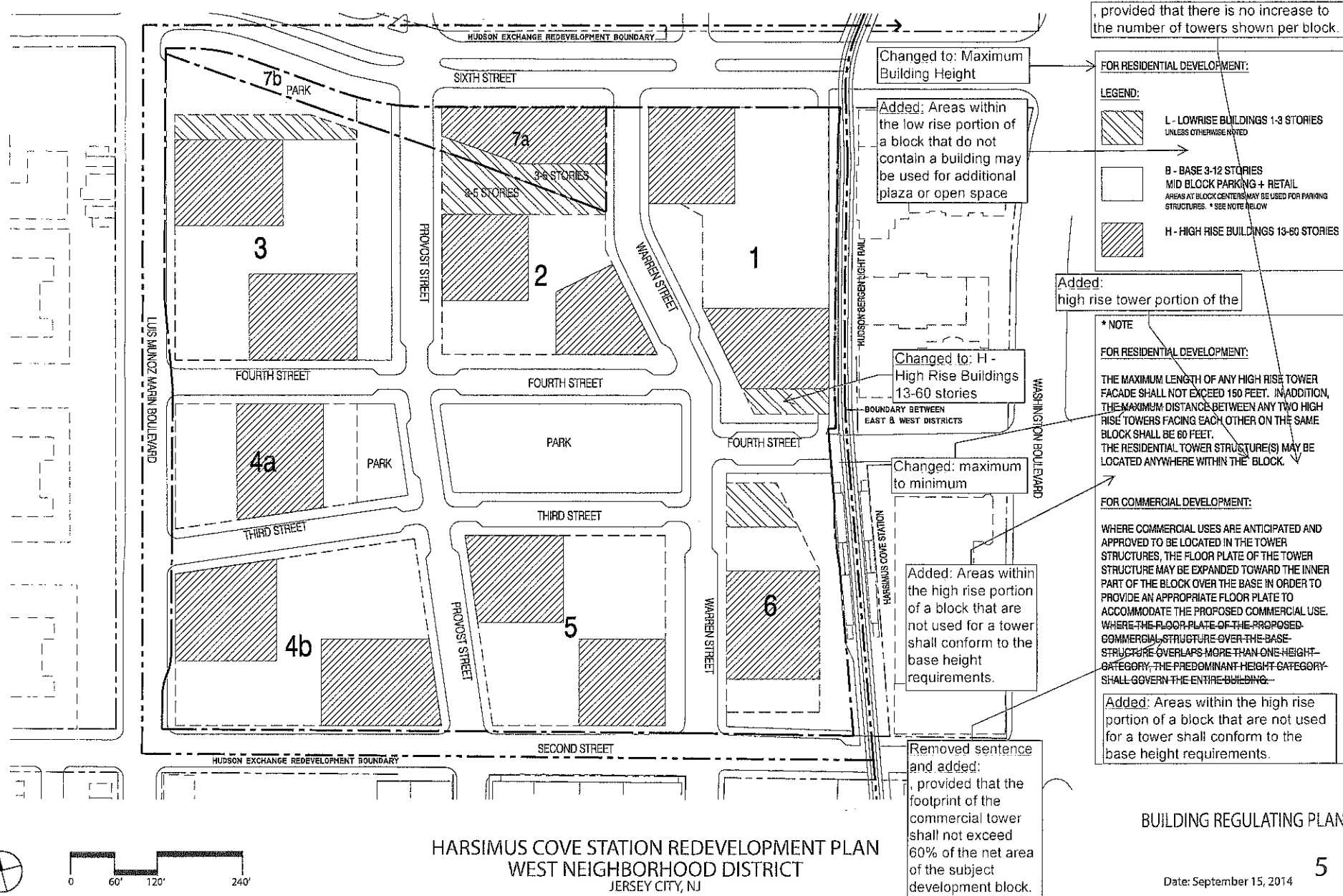
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BUILDING REGULATING PLAN

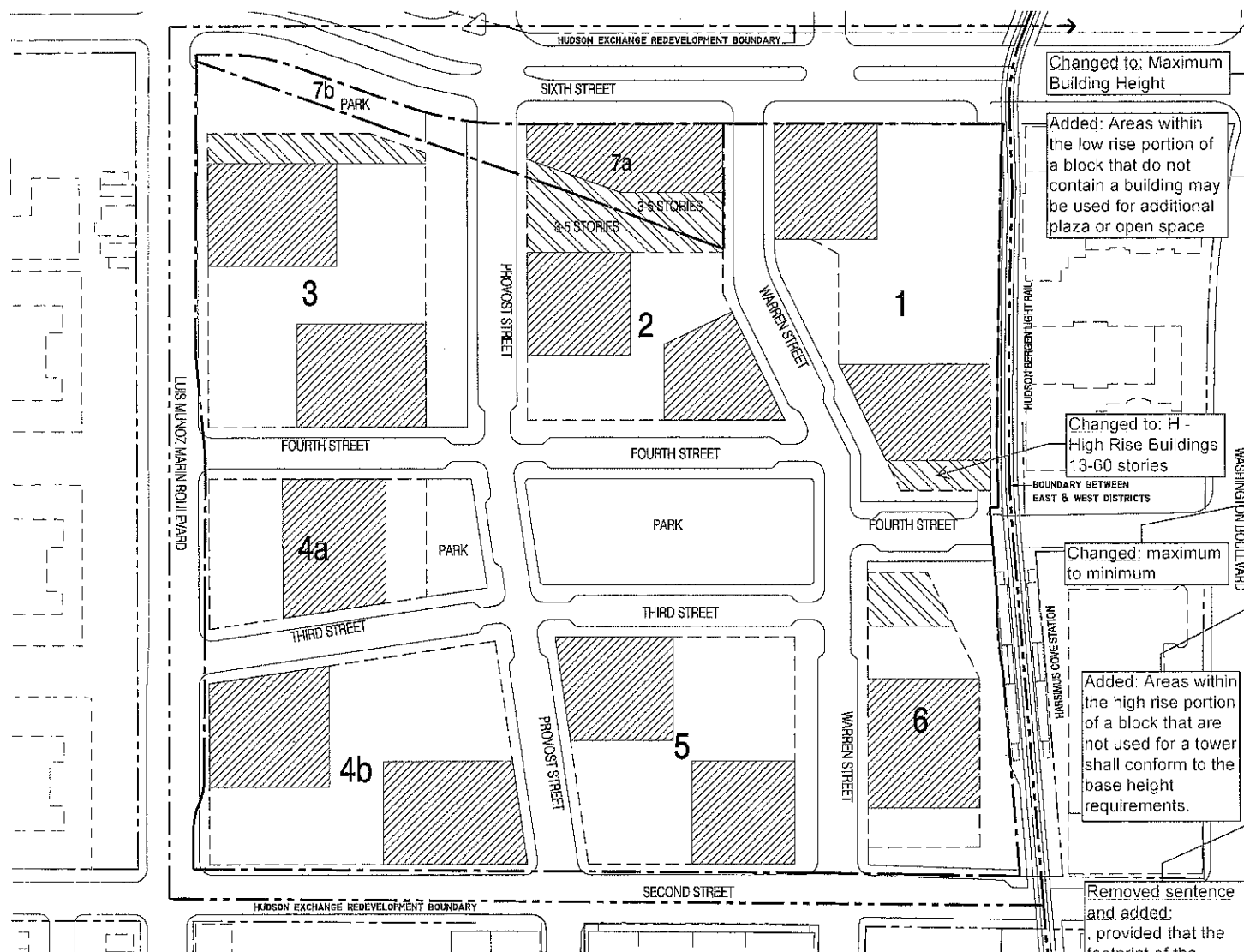
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

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Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

FOR RESIDENTIAL DEVELOPMENT:

LEGEND:

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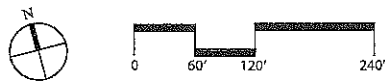
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BOUNDARY BETWEEN EAST & WEST DISTRICTS

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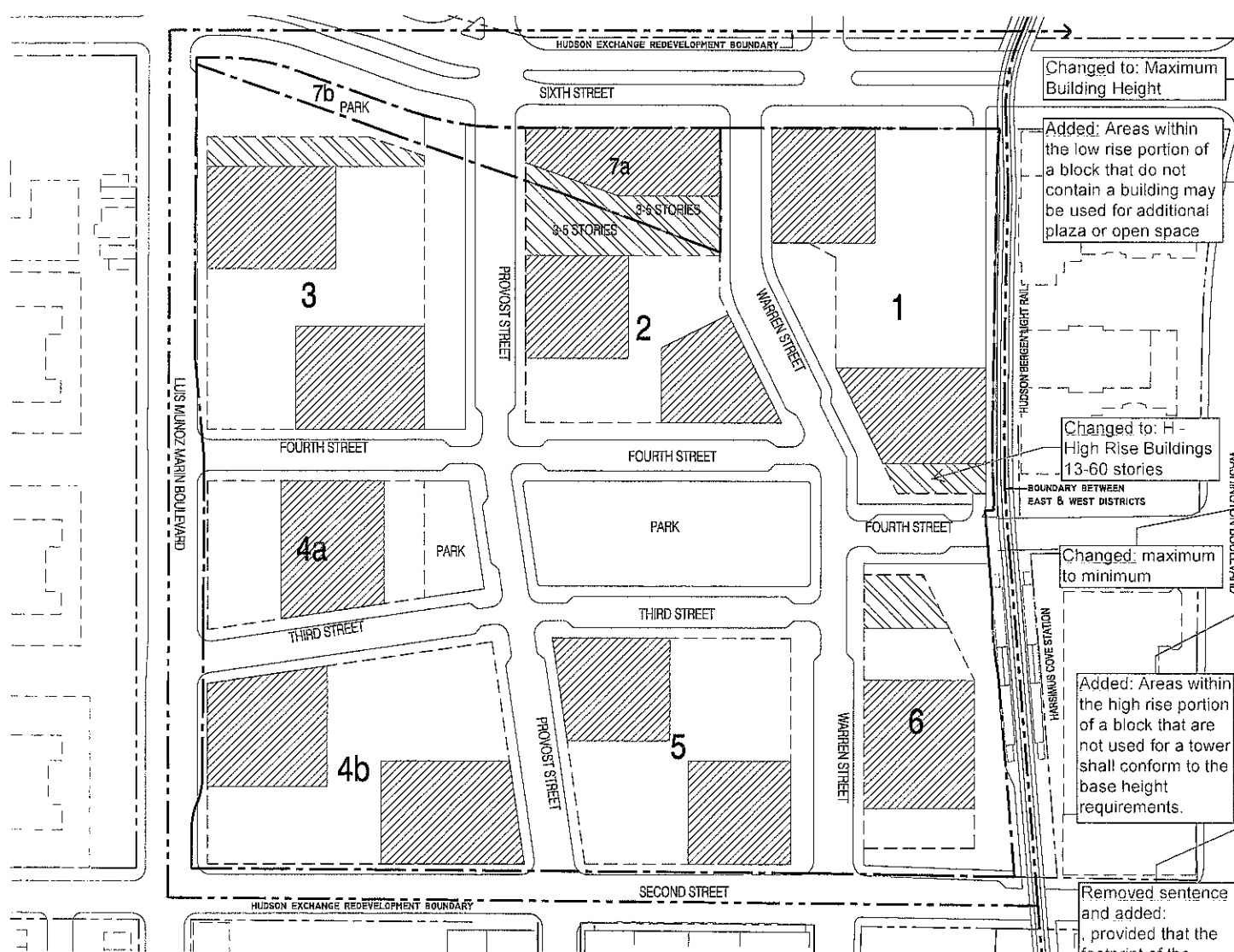
Removed sentence and added: provided that the footprint of the commercial tower shall not exceed 60% of the net area of the subject development block.



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN




Date: September 15, 2014



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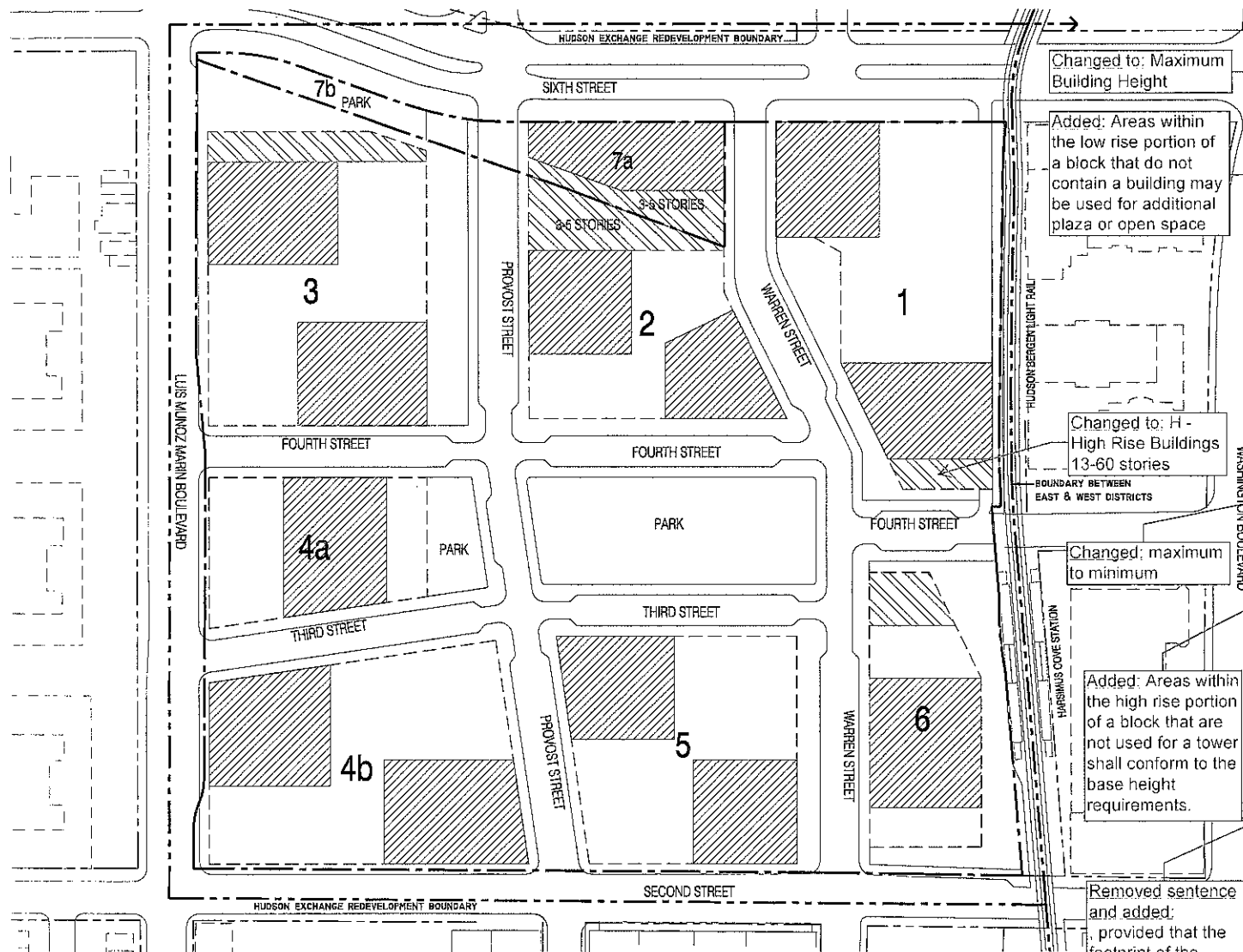
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BUILDING REGULATING PLAN

Date: September 15, 2014

HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ





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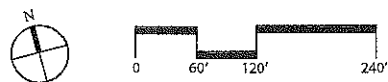
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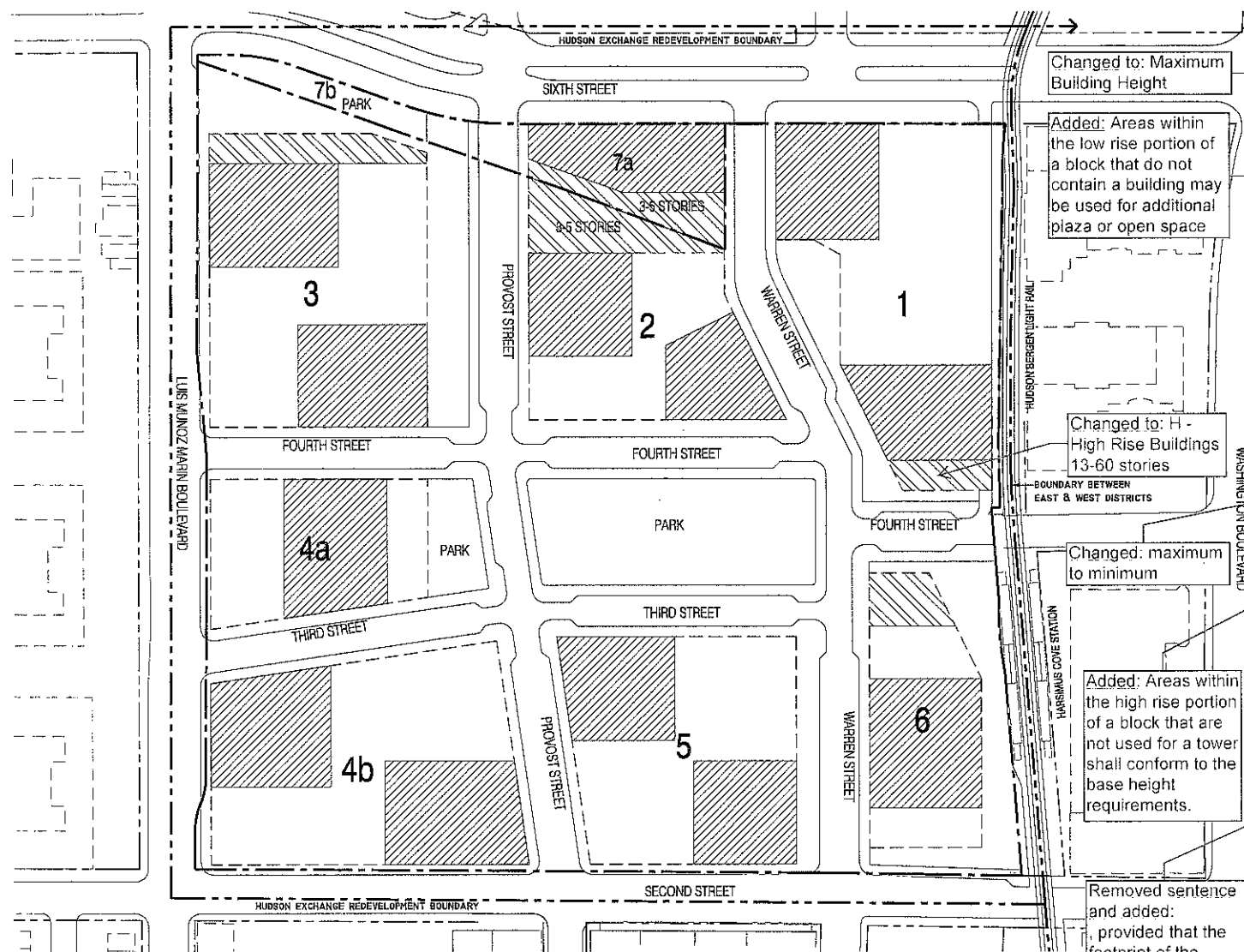
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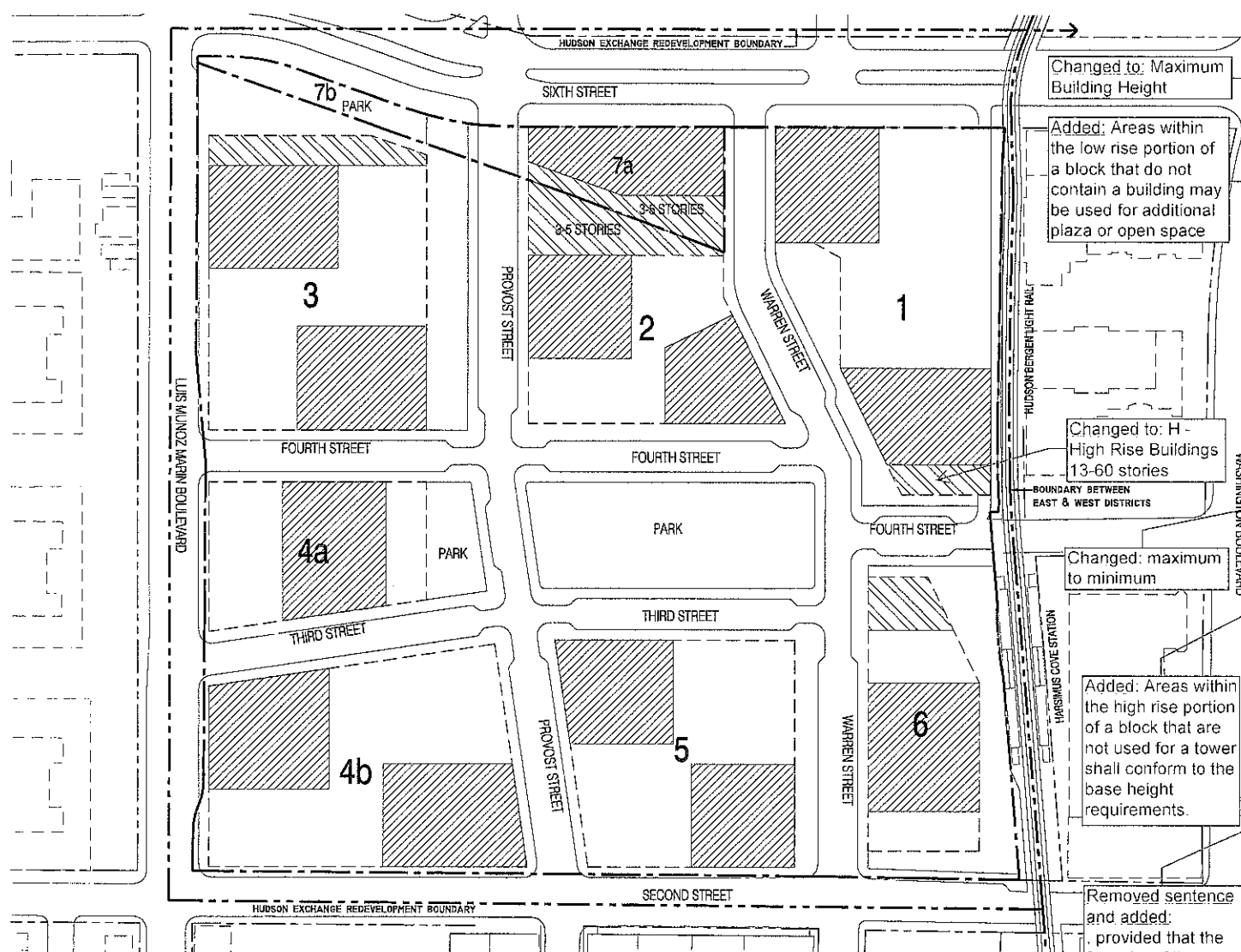
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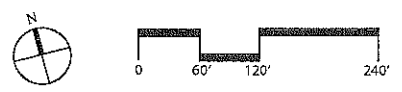
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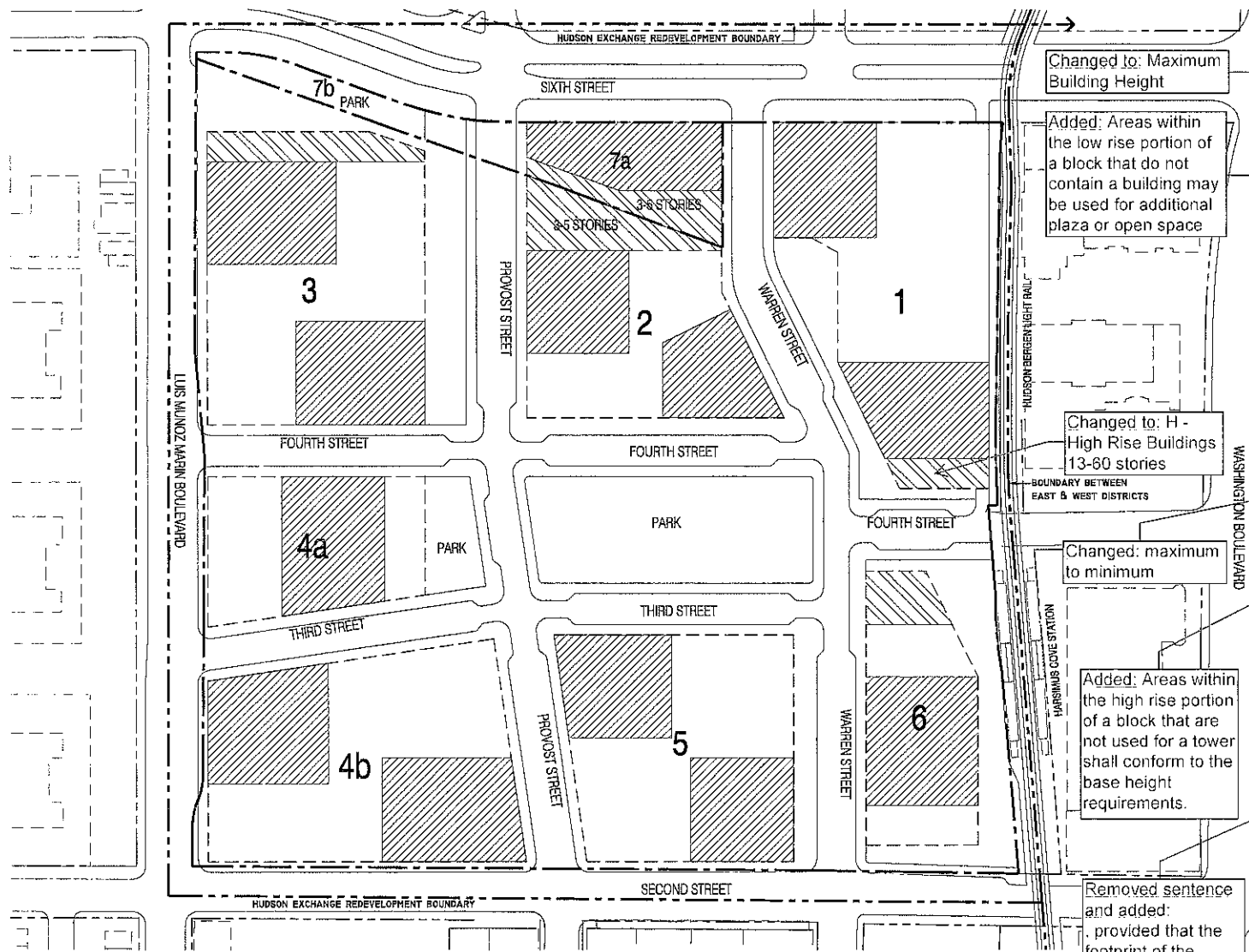
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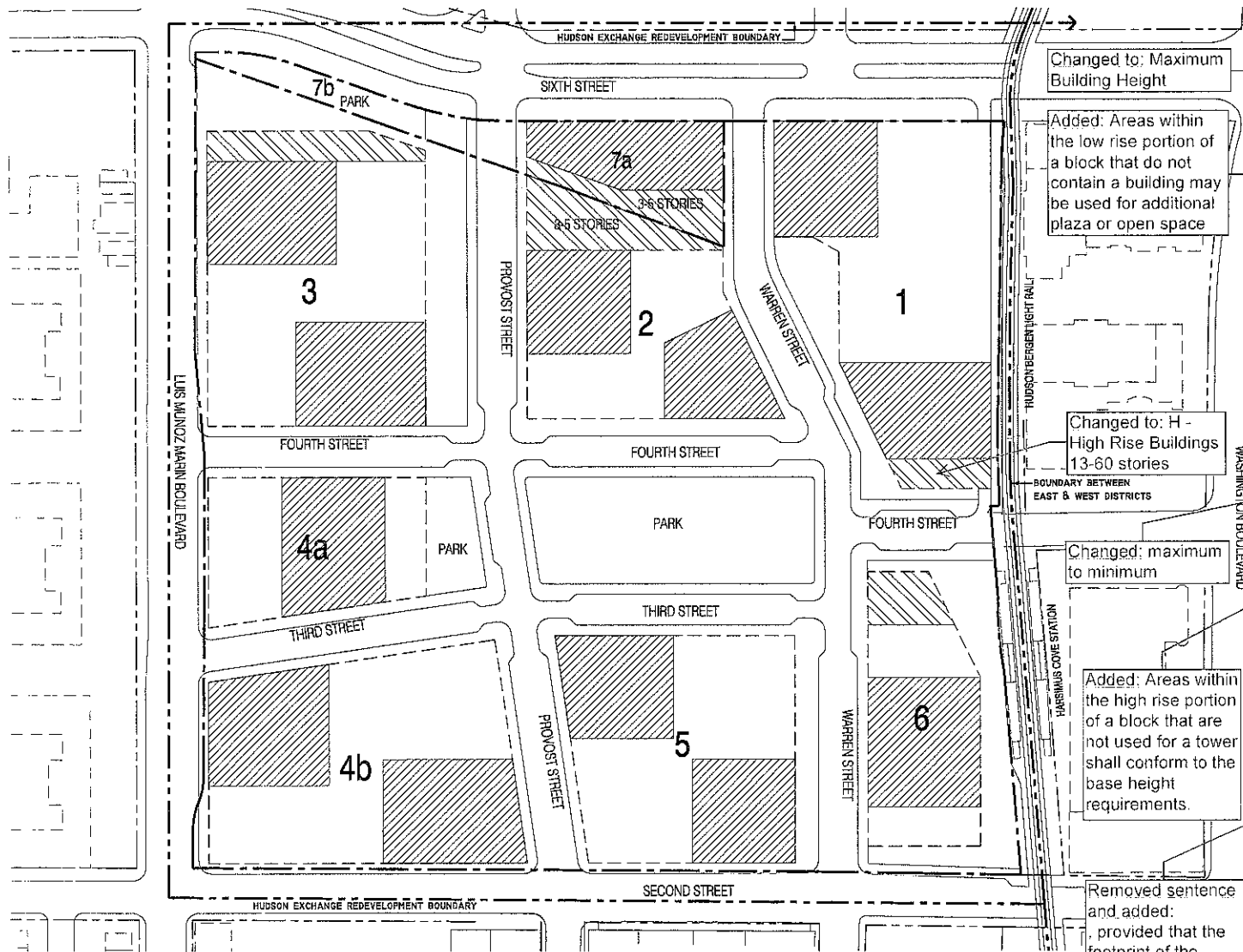
Removed sentence and added:
provided that the footprint of the commercial tower shall not exceed 60% of the net area of the subject development block.

Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN



provided that there is no increase to the number of towers shown per block.

FOR RESIDENTIAL DEVELOPMENT:

LEGEND:

- L - LOWRISE BUILDINGS 1-3 STORIES
UNLESS OTHERWISE NOTED
- B - BASE 3-12 STORIES
MID BLOCK PARKING + RETAIL
AREAS AT BLOCK CENTERS MAY BE USED FOR PARKING
STRUCTURES. * SEE NOTE BELOW
- H - HIGH RISE BUILDINGS 13-60 STORIES

Added:
high rise tower portion of the

* NOTE

FOR RESIDENTIAL DEVELOPMENT:

THE MAXIMUM LENGTH OF ANY HIGH RISE TOWER FACADE SHALL NOT EXCEED 150 FEET. IN ADDITION, THE MAXIMUM DISTANCE BETWEEN ANY TWO HIGH RISE TOWERS FACING EACH OTHER ON THE SAME BLOCK SHALL BE 60 FEET. THE RESIDENTIAL TOWER STRUCTURE(S) MAY BE LOCATED ANYWHERE WITHIN THE BLOCK.

FOR COMMERCIAL DEVELOPMENT:

WHERE COMMERCIAL USES ARE ANTICIPATED AND APPROVED TO BE LOCATED IN THE TOWER STRUCTURES, THE FLOOR PLATE OF THE TOWER STRUCTURE MAY BE EXPANDED TOWARD THE INNER PART OF THE BLOCK OVER THE BASE IN ORDER TO PROVIDE AN APPROPRIATE FLOOR PLATE TO ACCOMMODATE THE PROPOSED COMMERCIAL USE. WHERE THE FLOOR PLATE OF THE PROPOSED COMMERCIAL STRUCTURE OVER THE BASE STRUCTURE OVERLAPS MORE THAN ONE HEIGHT-CATEGORY, THE PREDOMINANT HEIGHT-CATEGORY SHALL GOVERN THE ENTIRE BUILDING.

Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

Changed to: H - High Rise Buildings 13-60 stories

BOUNDARY BETWEEN EAST & WEST DISTRICTS

Changed: maximum to minimum

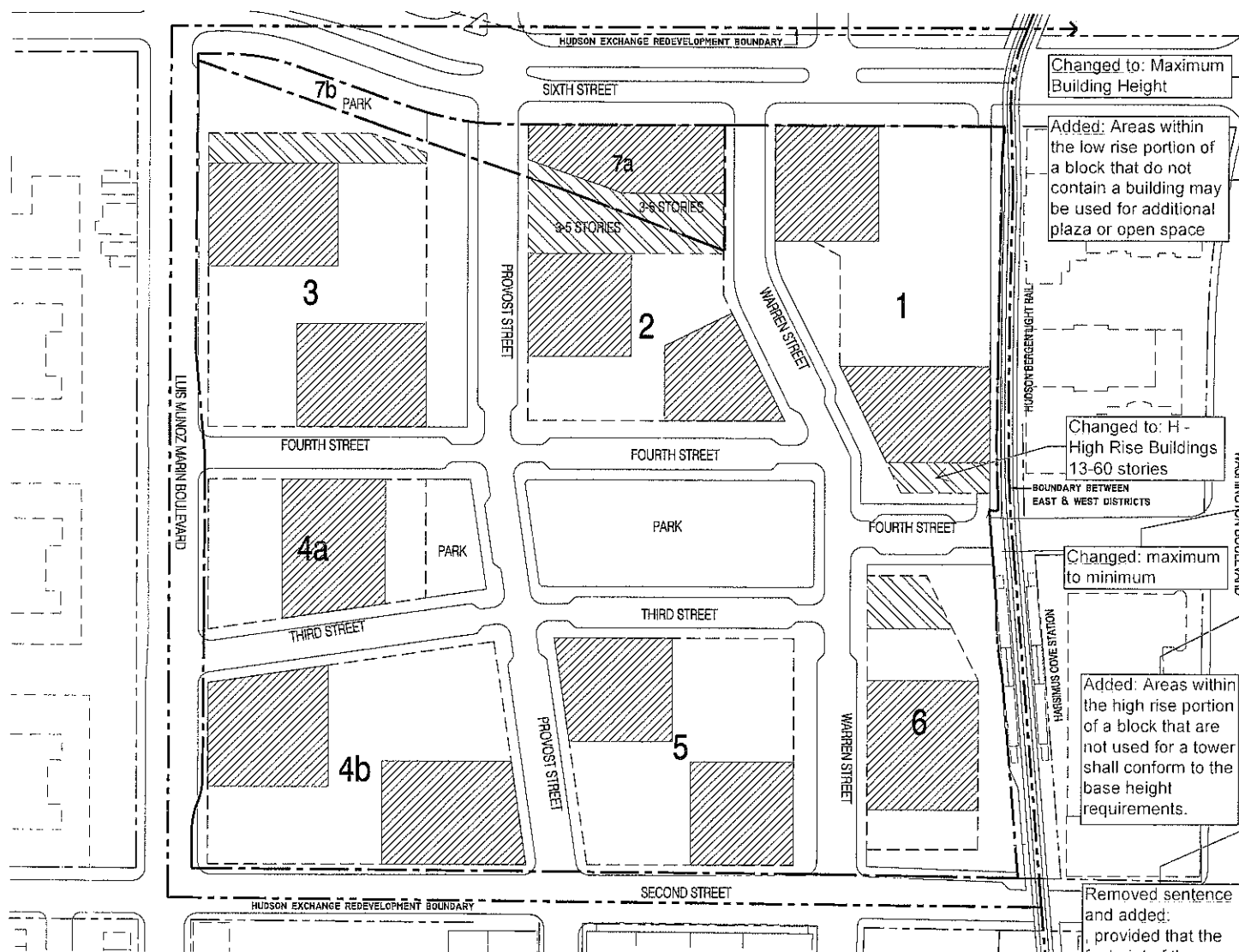
Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

Removed sentence and added:
provided that the footprint of the commercial tower shall not exceed 60% of the net area of the subject development block.

HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN

Date: September 15, 2014



, provided that there is no increase to the number of towers shown per block.

Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

Changed to: H - High Rise Buildings 13-60 stories

Changed: maximum to minimum

Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

Removed sentence and added: provided that the footprint of the commercial tower shall not exceed 60% of the net area of the subject development block.

FOR RESIDENTIAL DEVELOPMENT:

LEGEND:

- L - LOWRISE BUILDINGS 1-3 STORIES UNLESS OTHERWISE NOTED
- B - BASE 3-12 STORIES MID BLOCK PARKING + RETAIL AREAS AT BLOCK CENTERS MAY BE USED FOR PARKING STRUCTURES. * SEE NOTE BELOW
- H - HIGH RISE BUILDINGS 13-60 STORIES

Added: high rise tower portion of the

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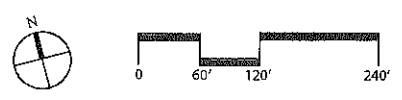
FOR RESIDENTIAL DEVELOPMENT:

THE MAXIMUM LENGTH OF ANY HIGH RISE TOWER FACADE SHALL NOT EXCEED 160 FEET. IN ADDITION, THE MAXIMUM DISTANCE BETWEEN ANY TWO HIGH RISE TOWERS FACING EACH OTHER ON THE SAME BLOCK SHALL BE 60 FEET. THE RESIDENTIAL TOWER STRUCTURE(S) MAY BE LOCATED ANYWHERE WITHIN THE BLOCK.

FOR COMMERCIAL DEVELOPMENT:

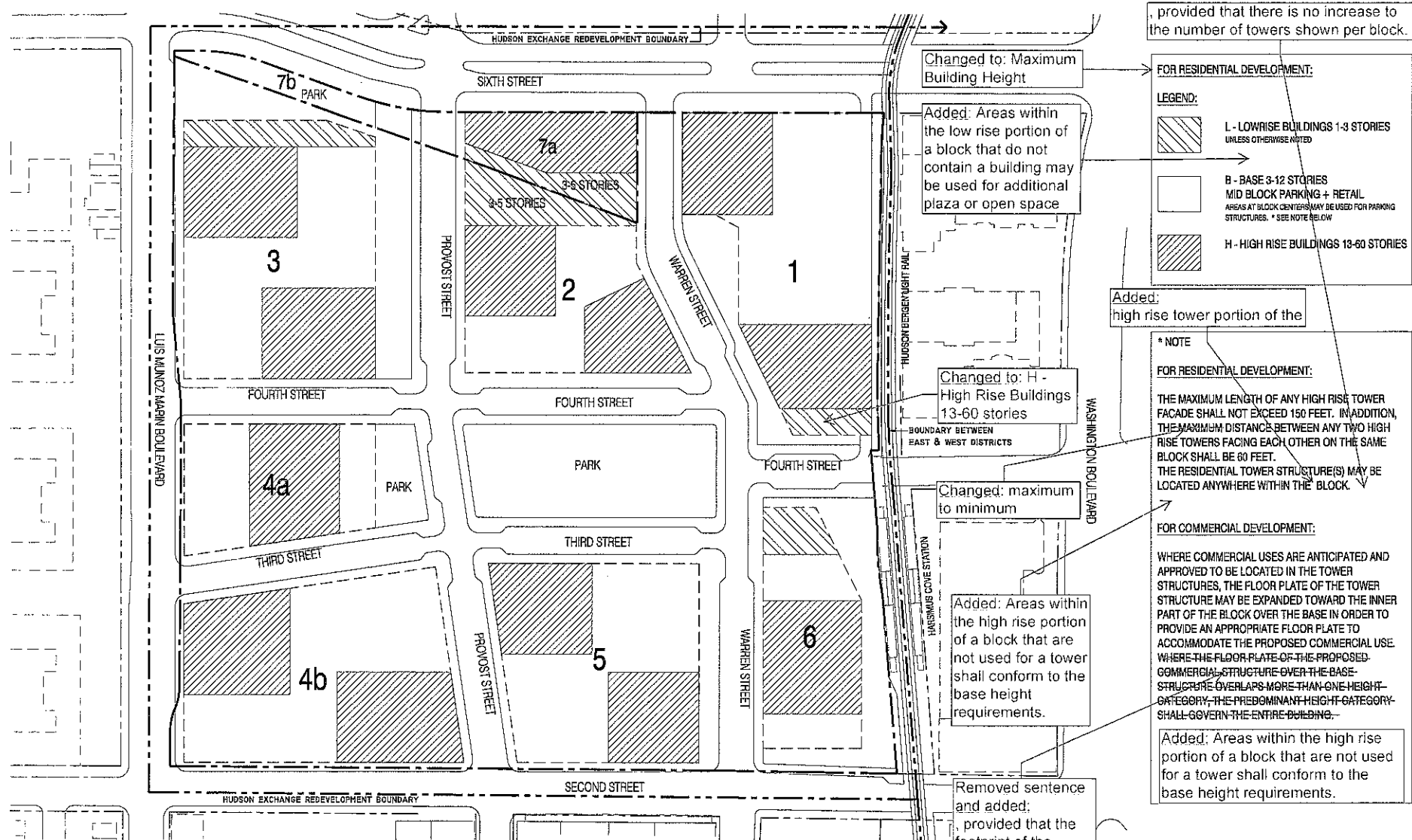
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Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

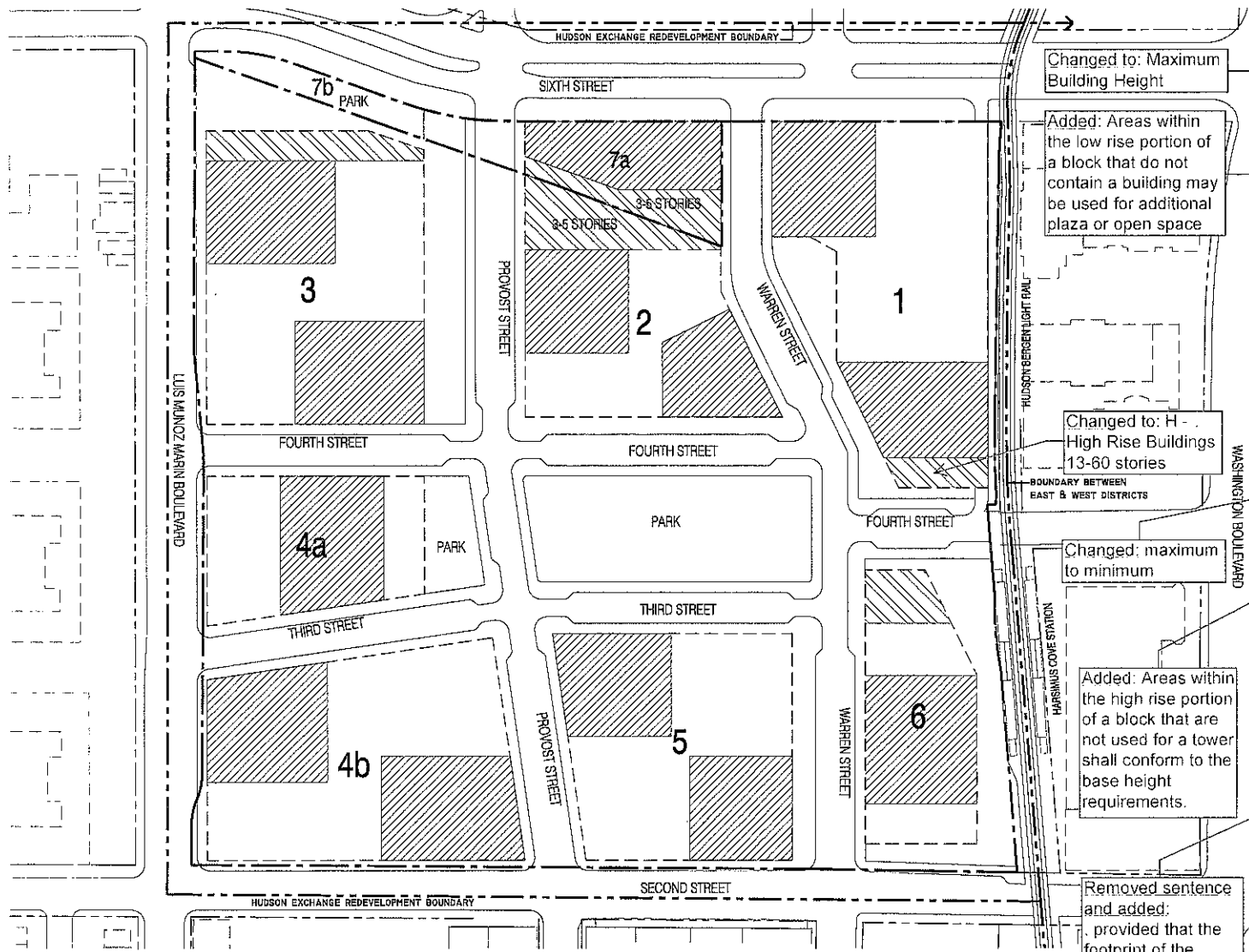
BUILDING REGULATING PLAN



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN

Date: September 15, 2014



provided that there is no increase to the number of towers shown per block.

Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

FOR RESIDENTIAL DEVELOPMENT:

LEGEND:

- L - LOWRISE BUILDINGS 1-3 STORIES
UNLESS OTHERWISE NOTED
- B - BASE 3-12 STORIES
MID BLOCK PARKING + RETAIL
AREAS AT BLOCK CENTERS MAY BE USED FOR PARKING STRUCTURES. * SEE NOTE BELOW
- H - HIGH RISE BUILDINGS 13-60 STORIES

Added: high rise tower portion of the

Changed to: H - High Rise Buildings 13-60 stories

BOUNDARY BETWEEN EAST & WEST DISTRICTS

Changed: maximum to minimum

Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

Removed sentence and added:
provided that the footprint of the commercial tower shall not exceed 60% of the net area of the subject development block.

*** NOTE**

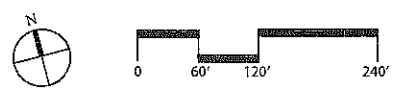
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THE MAXIMUM LENGTH OF ANY HIGH RISE TOWER FACADE SHALL NOT EXCEED 150 FEET. IN ADDITION, THE MAXIMUM DISTANCE BETWEEN ANY TWO HIGH RISE TOWERS FACING EACH OTHER ON THE SAME BLOCK SHALL BE 60 FEET. THE RESIDENTIAL TOWER STRUCTURE(S) MAY BE LOCATED ANYWHERE WITHIN THE BLOCK.

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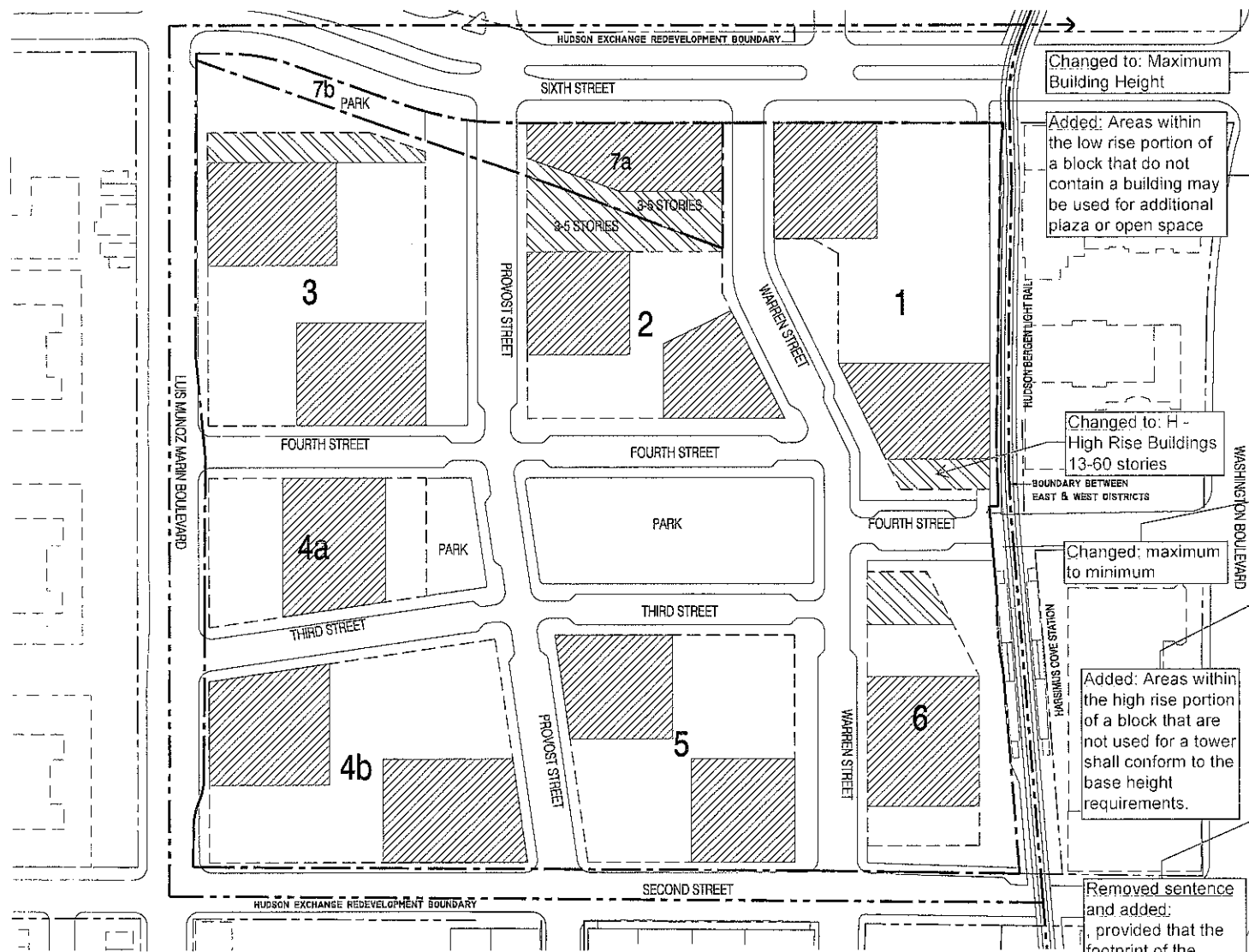
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HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN



provided that there is no increase to the number of towers shown per block.

FOR RESIDENTIAL DEVELOPMENT:

LEGEND:

- L - LOWRISE BUILDINGS 1-3 STORIES UNLESS OTHERWISE NOTED
- B - BASE 3-12 STORIES MID BLOCK PARKING + RETAIL. AREAS AT BLOCK CENTERS MAY BE USED FOR PARKING STRUCTURES. * SEE NOTE BELOW
- H - HIGH RISE BUILDINGS 13-60 STORIES

Added: high rise tower portion of the

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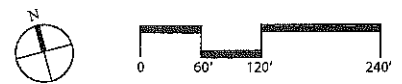
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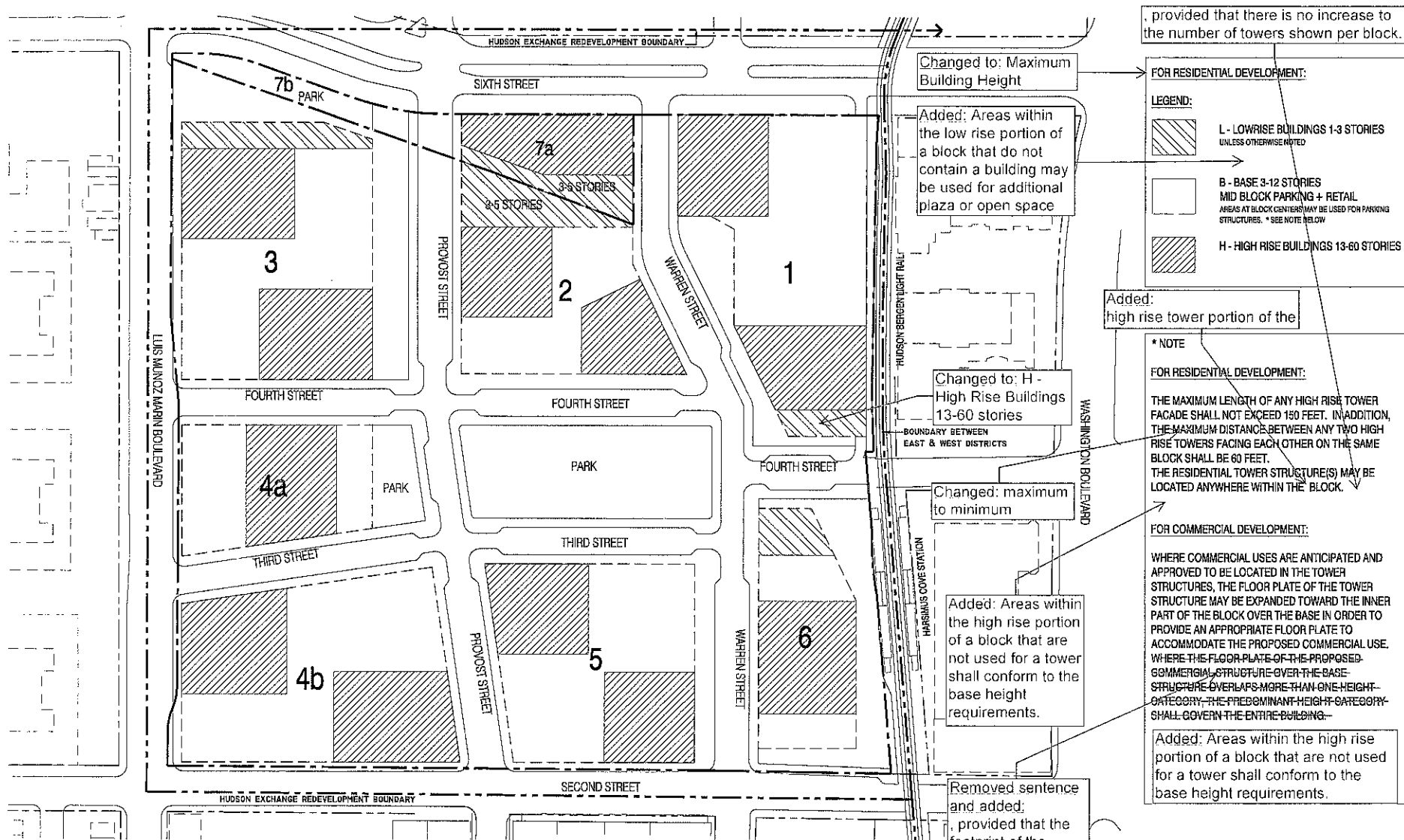
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BUILDING REGULATING PLAN



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

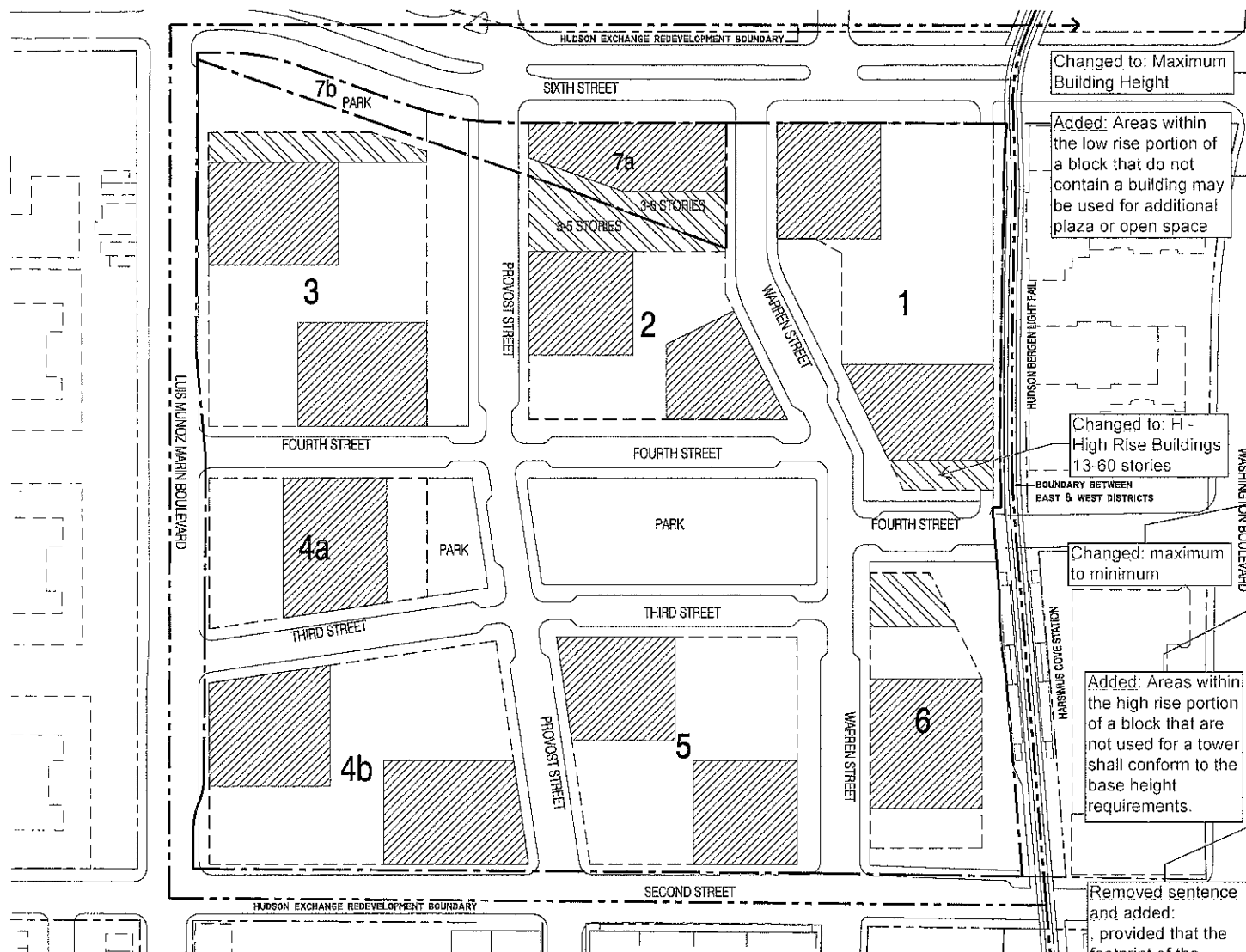
Date: September 15, 2014



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN

Date: September 15, 2014



provided that there is no increase to the number of towers shown per block.

Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

FOR RESIDENTIAL DEVELOPMENT:

LEGEND:

- L - LOWRISE BUILDINGS 1-3 STORIES
UNLESS OTHERWISE NOTED
- B - BASE 3-12 STORIES
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- H - HIGH RISE BUILDINGS 13-60 STORIES

Added: high rise tower portion of the

Changed to: H - High Rise Buildings 13-60 stories

BOUNDARY BETWEEN EAST & WEST DISTRICTS

Changed: maximum to minimum

Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

*** NOTE**

FOR RESIDENTIAL DEVELOPMENT:

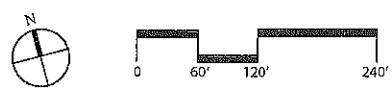
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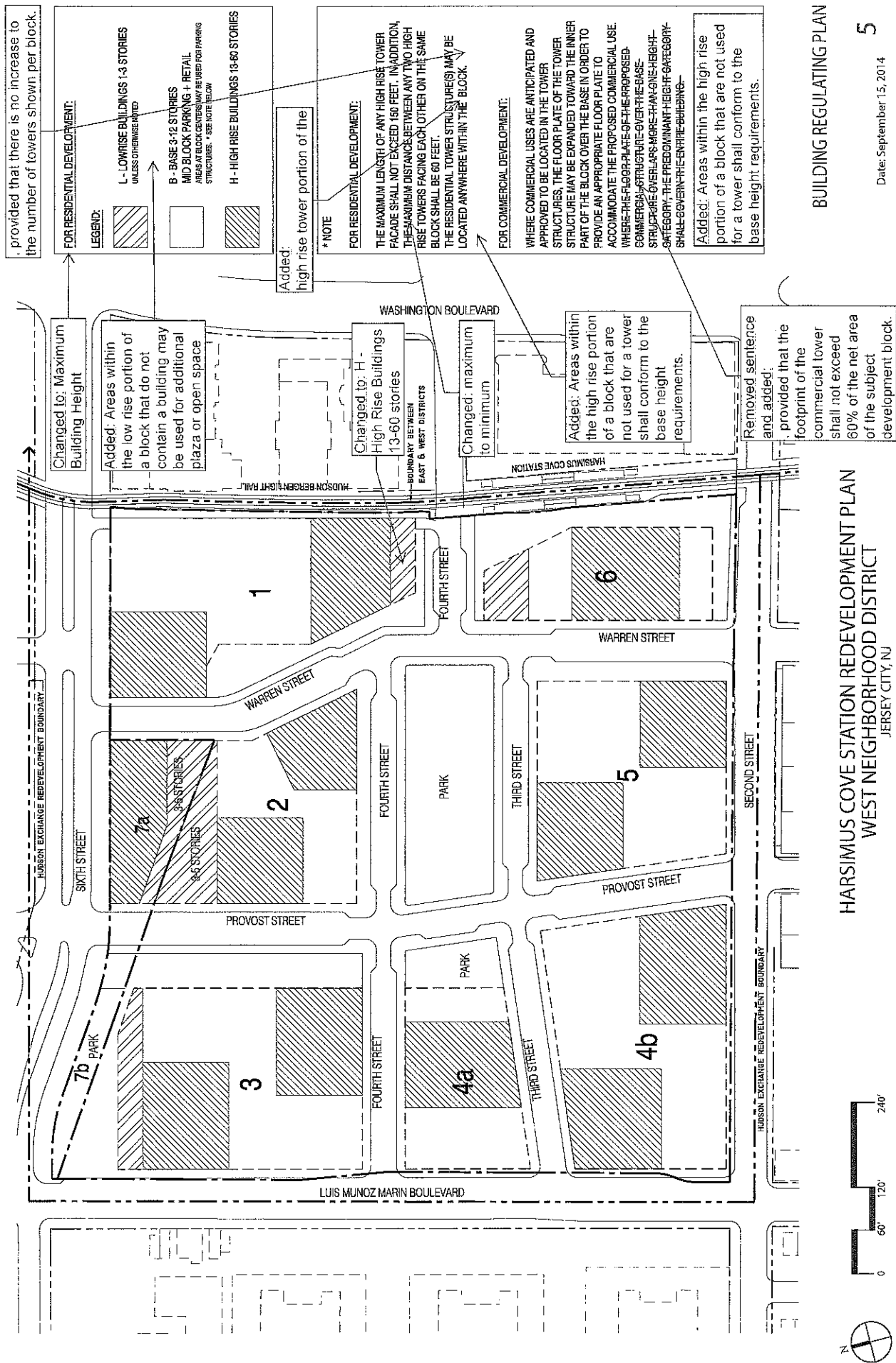
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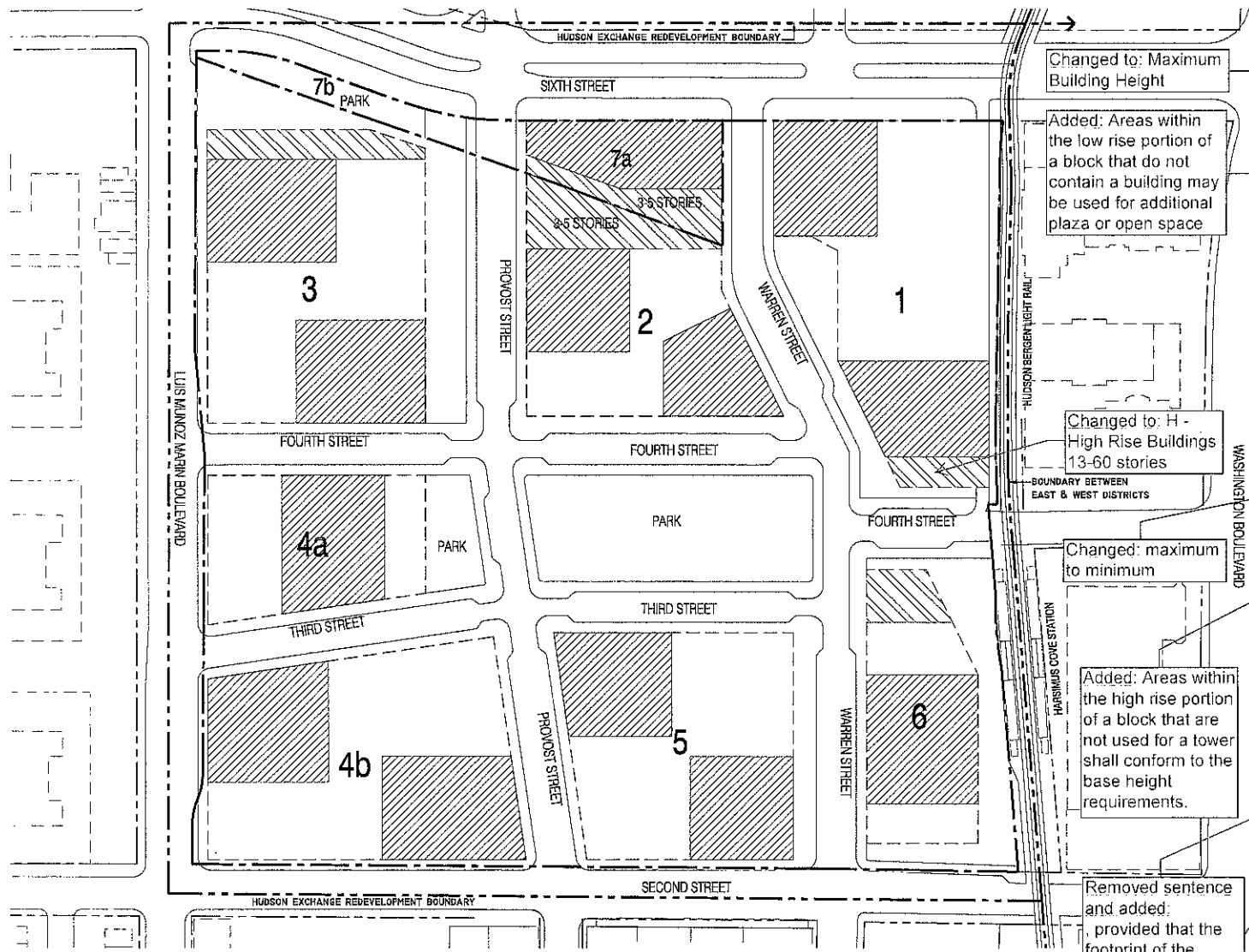
BUILDING REGULATING PLAN

Date: September 15, 2014



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN



provided that there is no increase to the number of towers shown per block.

Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

FOR RESIDENTIAL DEVELOPMENT:

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- H - HIGH RISE BUILDINGS 13-60 STORIES

Added: high rise tower portion of the

Changed to: H - High Rise Buildings 13-60 stories

BOUNDARY BETWEEN EAST & WEST DISTRICTS

Changed: maximum to minimum

Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

*** NOTE**

FOR RESIDENTIAL DEVELOPMENT:

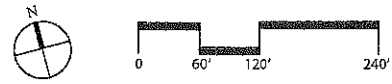
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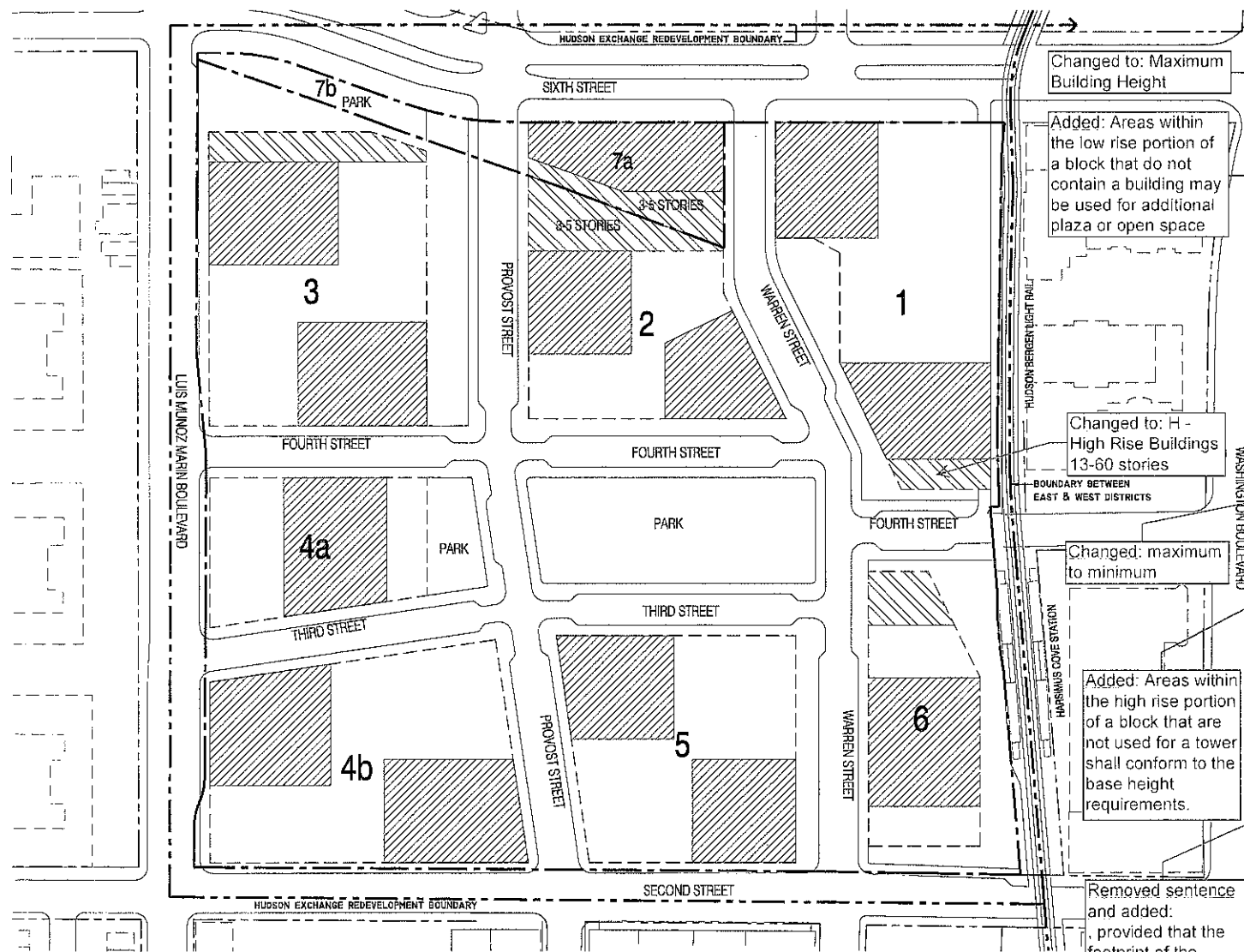
Removed sentence and added: provided that the footprint of the commercial tower shall not exceed 60% of the net area of the subject development block.

Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN



provided that there is no increase to the number of towers shown per block.

Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

Changed to: H - High Rise Buildings 13-60 stories

BOUNDARY BETWEEN EAST & WEST DISTRICTS

Changed: maximum to minimum

Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

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- H - HIGH RISE BUILDINGS 13-60 STORIES

Added: high rise tower portion of the

* NOTE

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THE MAXIMUM LENGTH OF ANY HIGH RISE TOWER FACADE SHALL NOT EXCEED 150 FEET. IN ADDITION, THE MAXIMUM DISTANCE BETWEEN ANY TWO HIGH RISE TOWERS FACING EACH OTHER ON THE SAME BLOCK SHALL BE 60 FEET. THE RESIDENTIAL TOWER STRUCTURE(S) MAY BE LOCATED ANYWHERE WITHIN THE BLOCK.

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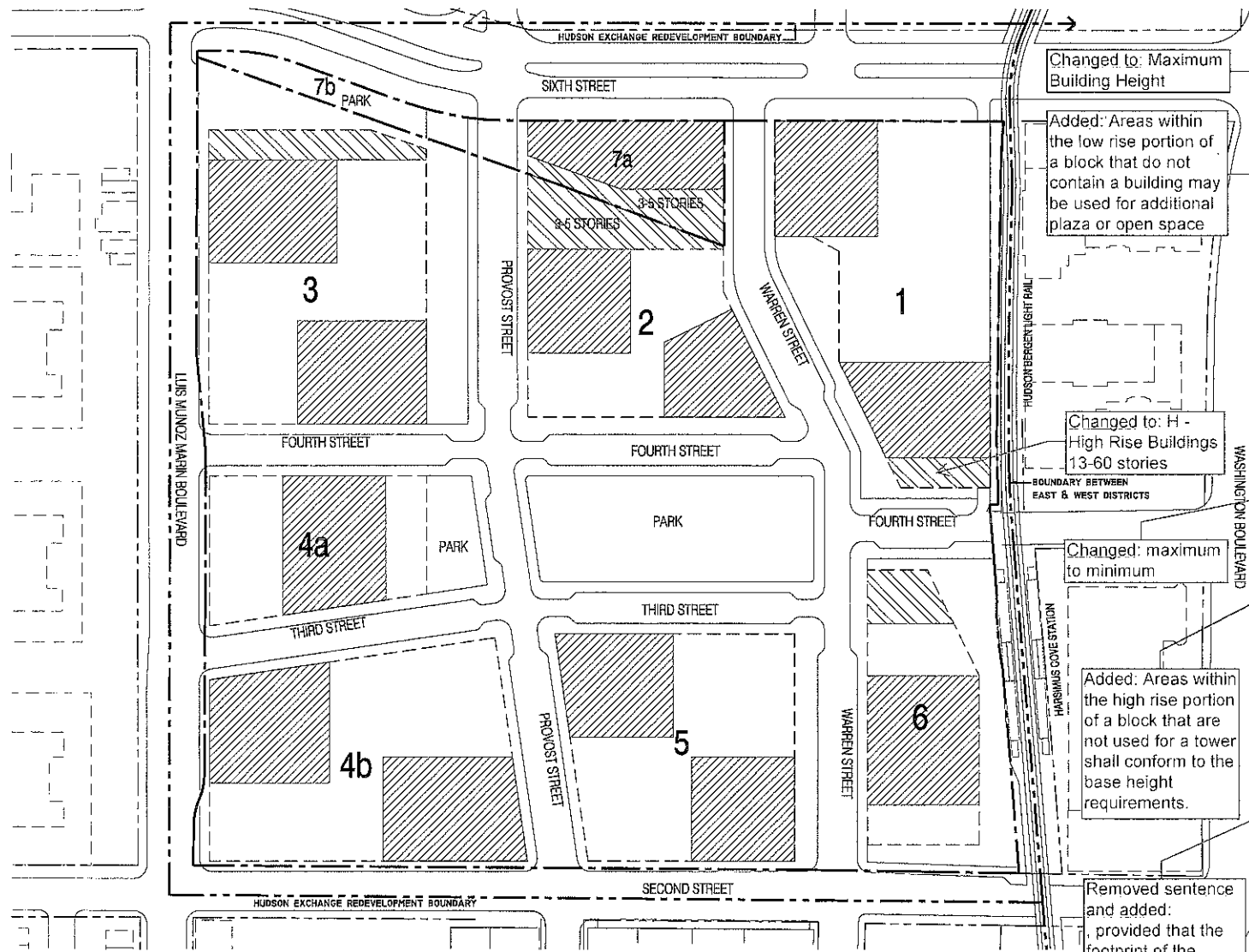
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HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN

Date: September 15, 2014





provided that there is no increase to the number of towers shown per block.

Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

FOR RESIDENTIAL DEVELOPMENT:

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Added: high rise tower portion of the

Changed to: H - High Rise Buildings 13-60 stories

BOUNDARY BETWEEN EAST & WEST DISTRICTS

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Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

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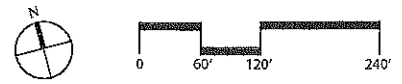
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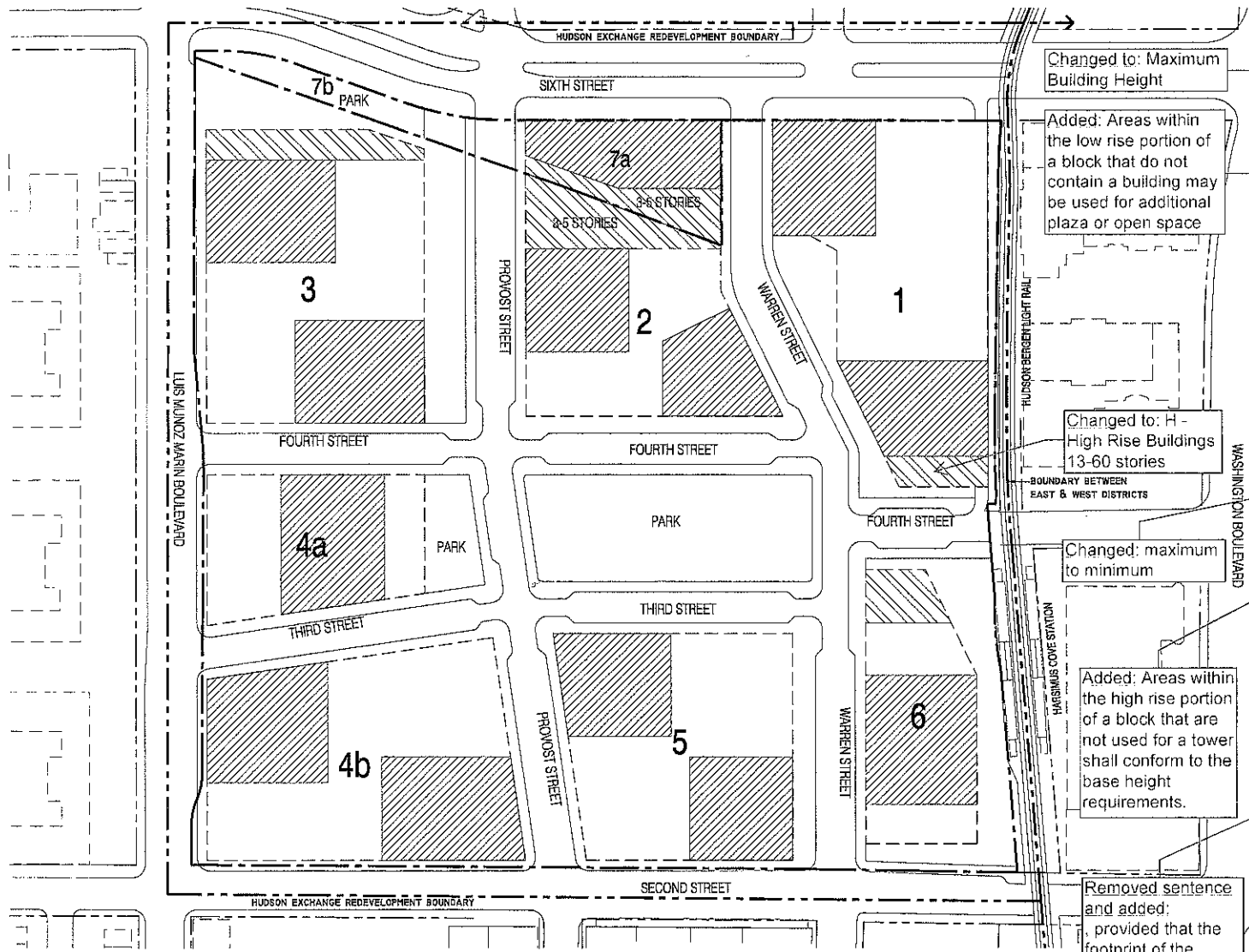
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HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN

Date: September 15, 2014



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BOUNDARY BETWEEN EAST & WEST DISTRICTS

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*** NOTE**

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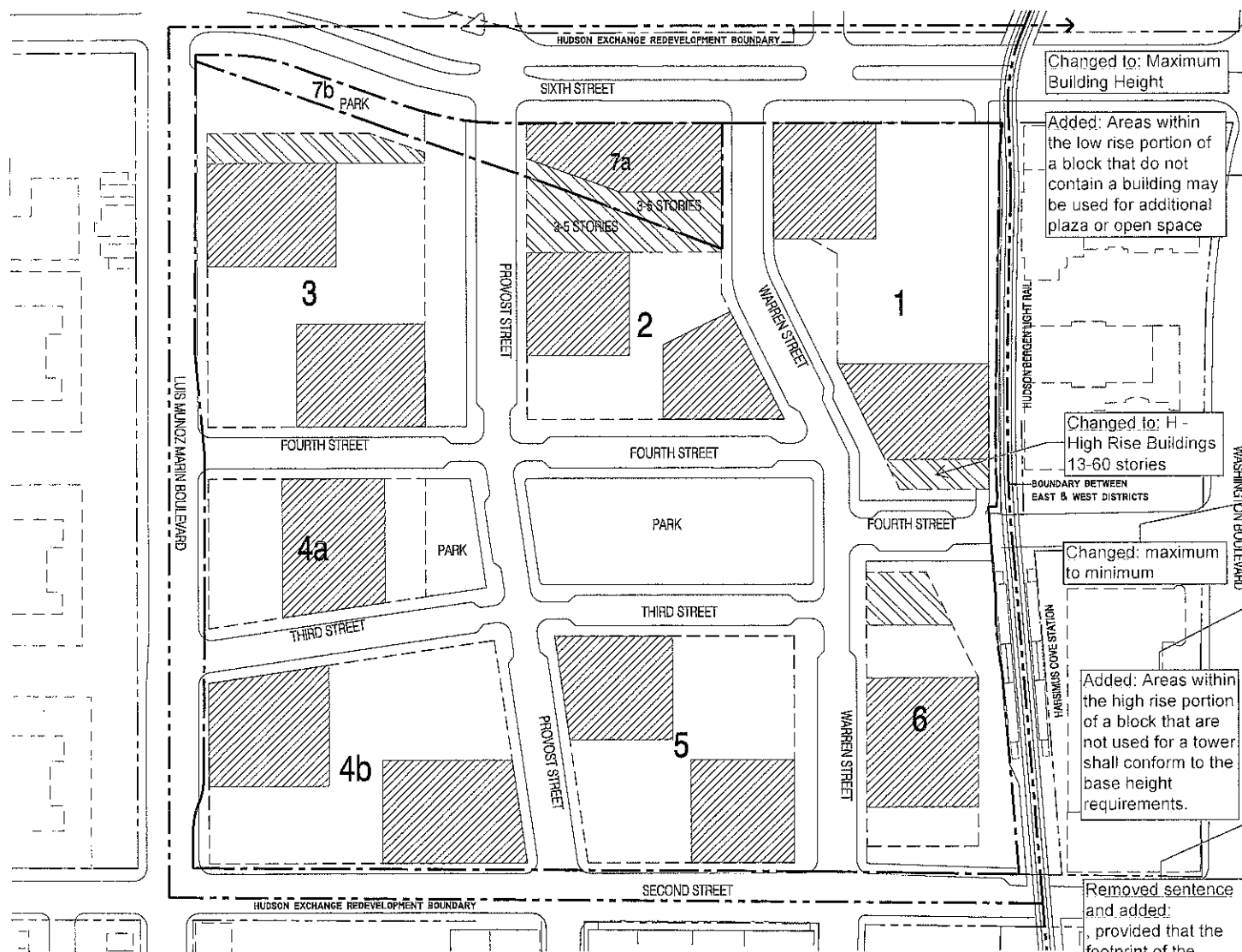
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HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN



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FOR RESIDENTIAL DEVELOPMENT:

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Added: high rise tower portion of the

*** NOTE**

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BOUNDARY BETWEEN EAST & WEST DISTRICTS

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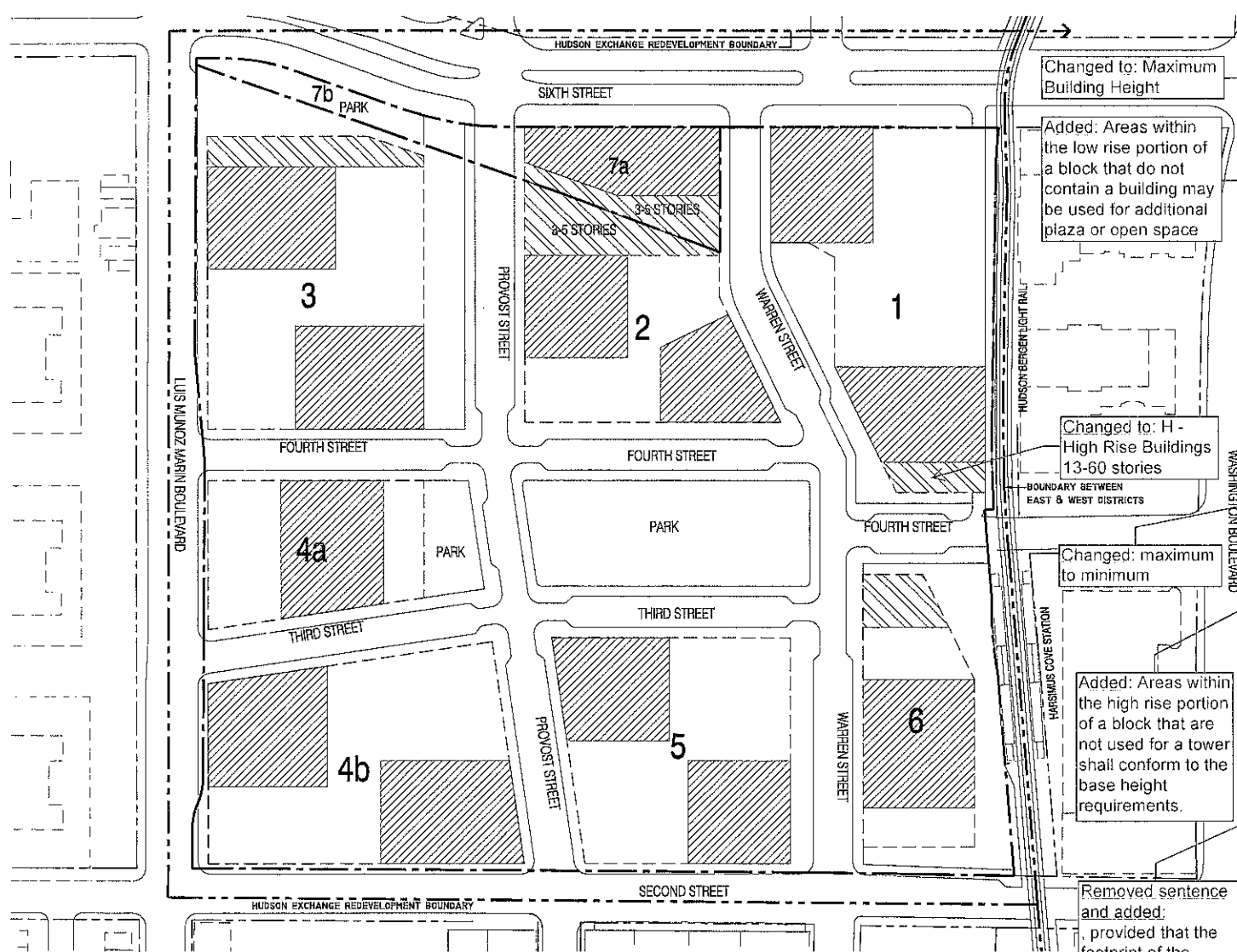
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HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN

Date: September 15, 2014






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Changed to: Maximum Building Height

Added: Areas within the low rise portion of a block that do not contain a building may be used for additional plaza or open space

FOR RESIDENTIAL DEVELOPMENT:

LEGEND:

-  L - LOWRISE BUILDINGS 1-3 STORIES UNLESS OTHERWISE NOTED
-  B - BASE 3-12 STORIES MID BLOCK PARKING + RETAIL AREAS AT BLOCK CENTERS MAY BE USED FOR PARKING STRUCTURES. * SEE NOTE BELOW
-  H - HIGH RISE BUILDINGS 13-60 STORIES

Added: high rise tower portion of the

* NOTE

FOR RESIDENTIAL DEVELOPMENT:

THE MAXIMUM LENGTH OF ANY HIGH RISE TOWER FACADE SHALL NOT EXCEED 150 FEET. IN ADDITION, THE MAXIMUM DISTANCE BETWEEN ANY TWO HIGH RISE TOWERS FACING EACH OTHER ON THE SAME BLOCK SHALL BE 60 FEET. THE RESIDENTIAL TOWER STRUCTURE(S) MAY BE LOCATED ANYWHERE WITHIN THE BLOCK.

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Added: Areas within the high rise portion of a block that are not used for a tower shall conform to the base height requirements.

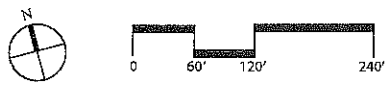
Changed to: H - High Rise Buildings 13-60 stories

BOUNDARY BETWEEN EAST & WEST DISTRICTS

Changed: maximum to minimum

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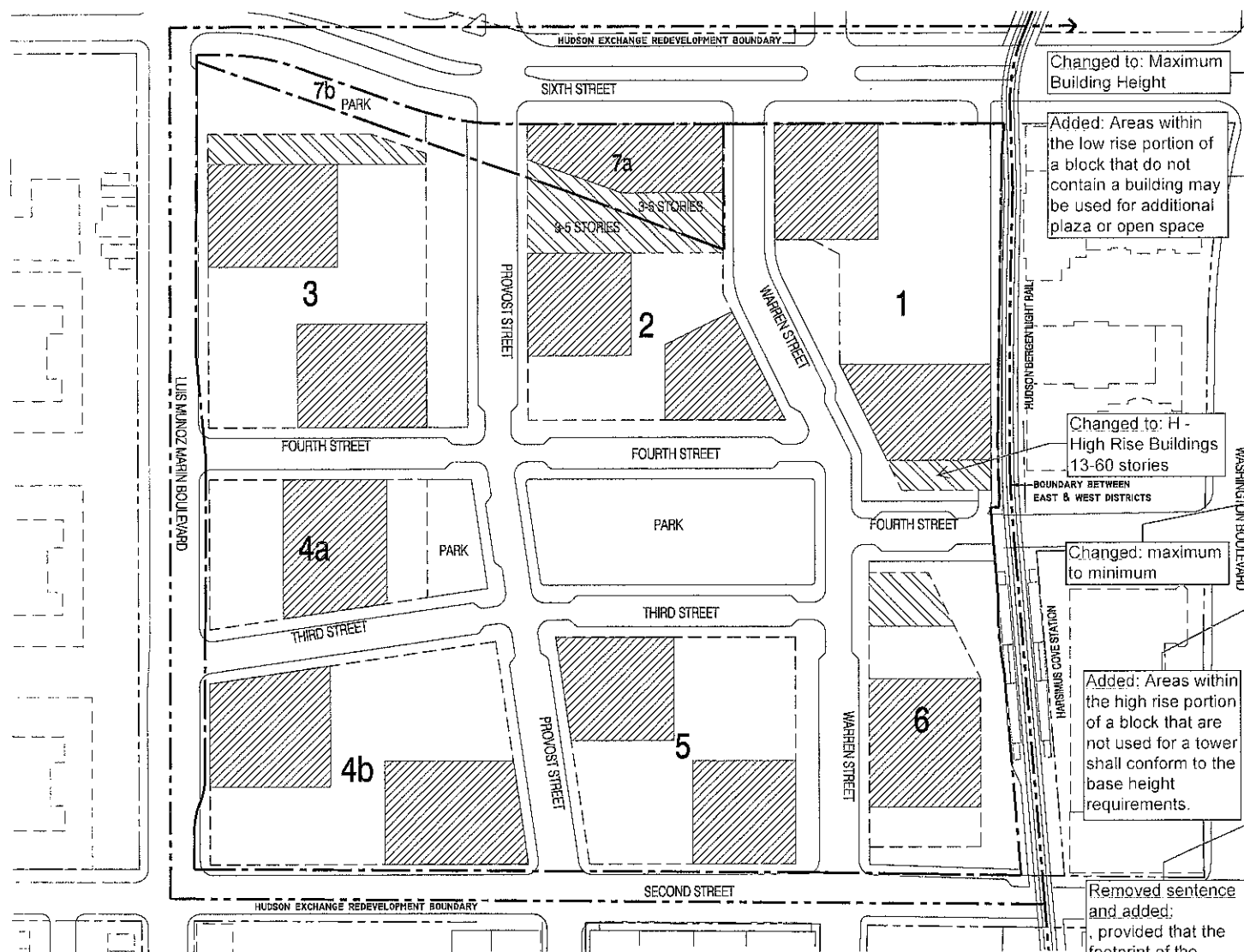
Removed sentence and added: provided that the footprint of the commercial tower shall not exceed 60% of the net area of the subject development block.



HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN

Date: September 15, 2014



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BOUNDARY BETWEEN EAST & WEST DISTRICTS

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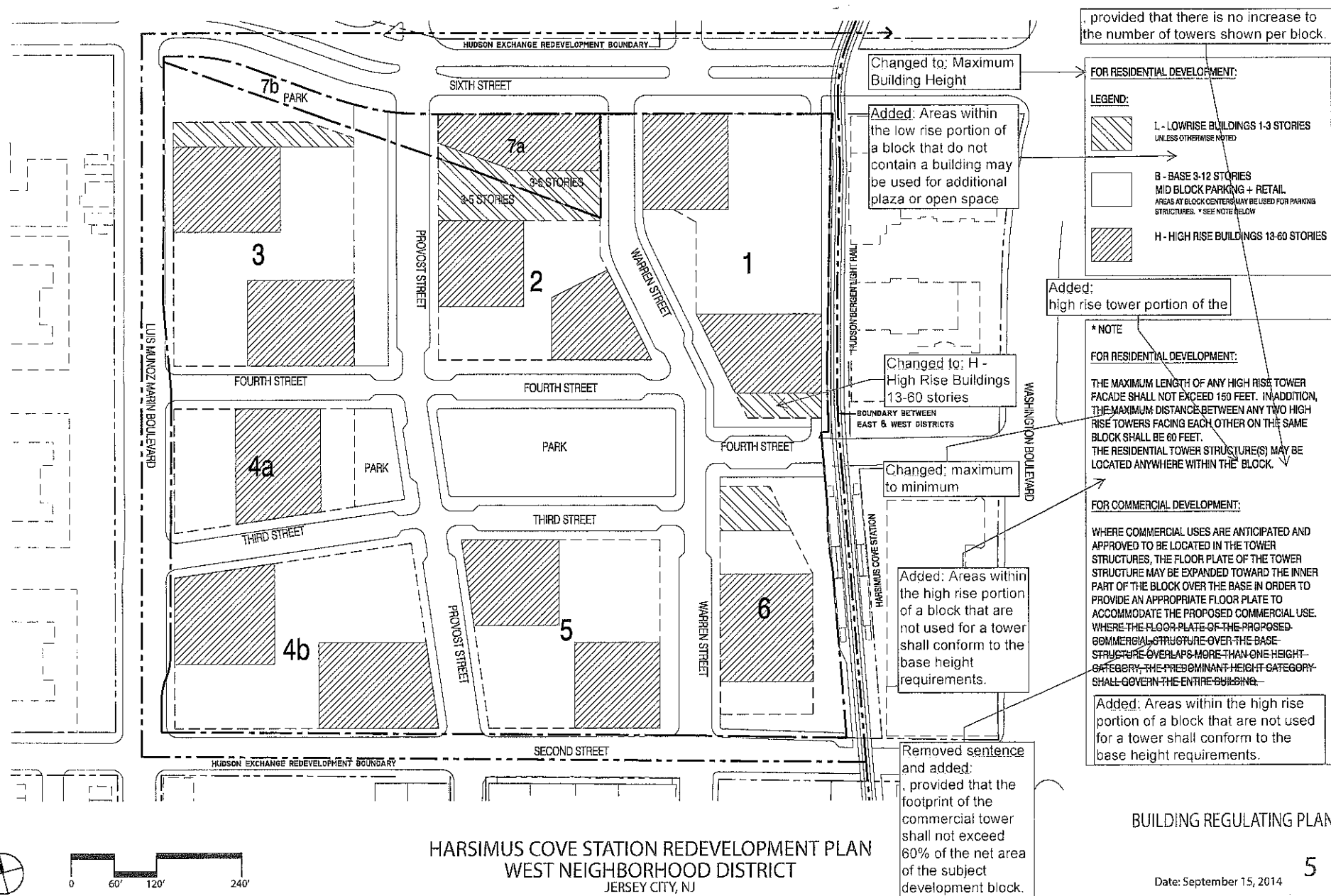
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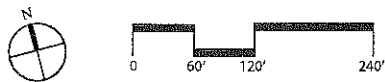
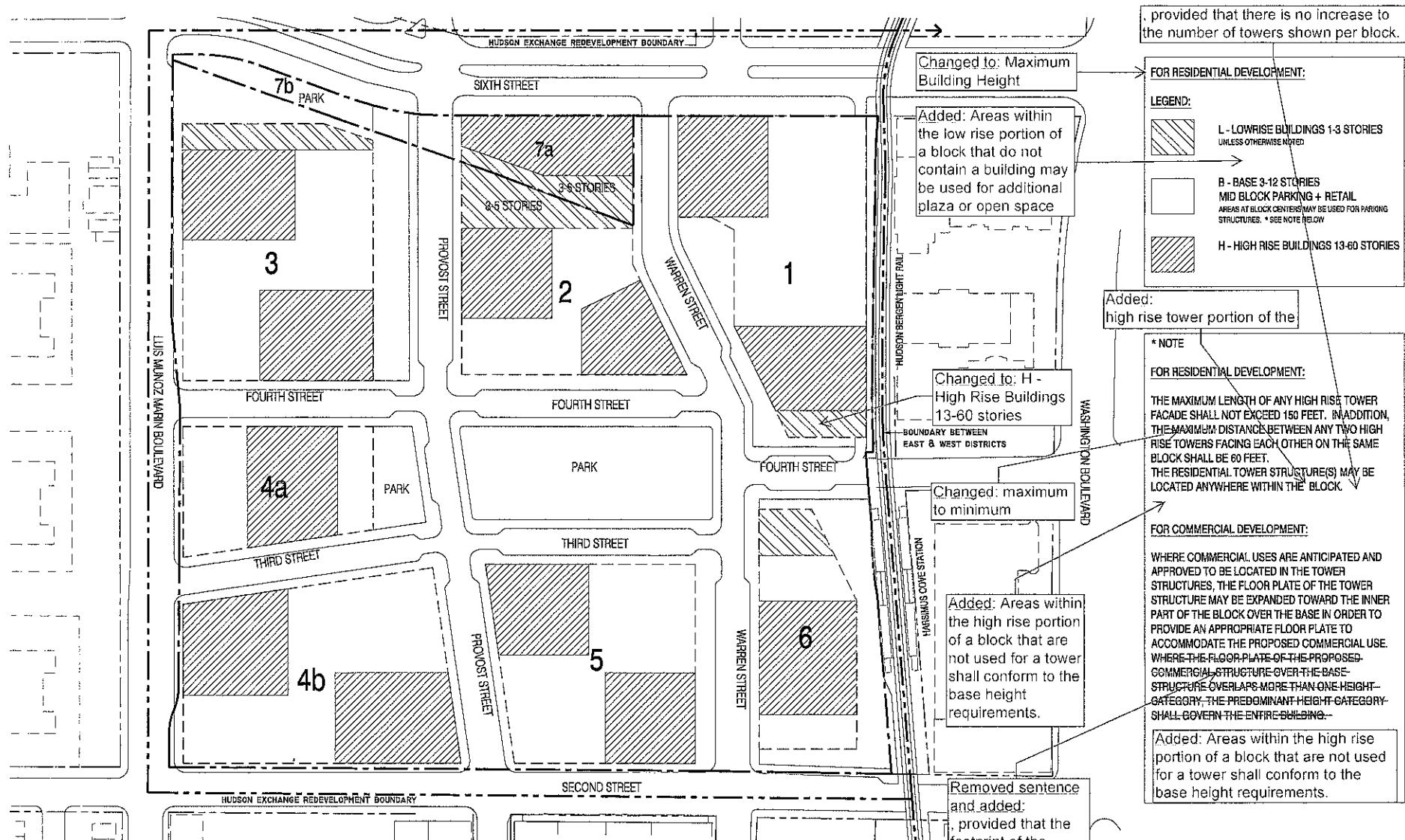
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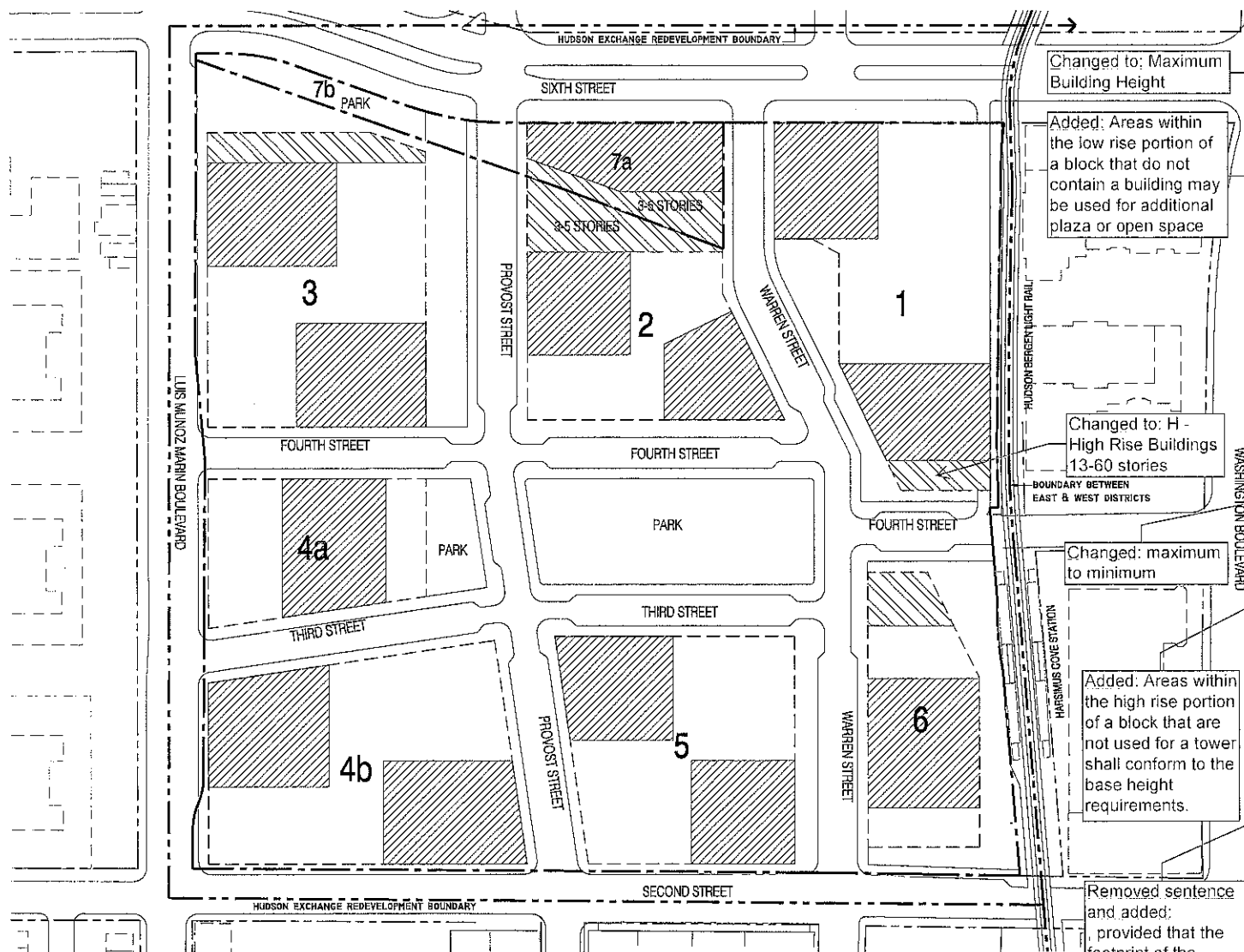




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BOUNDARY BETWEEN EAST & WEST DISTRICTS

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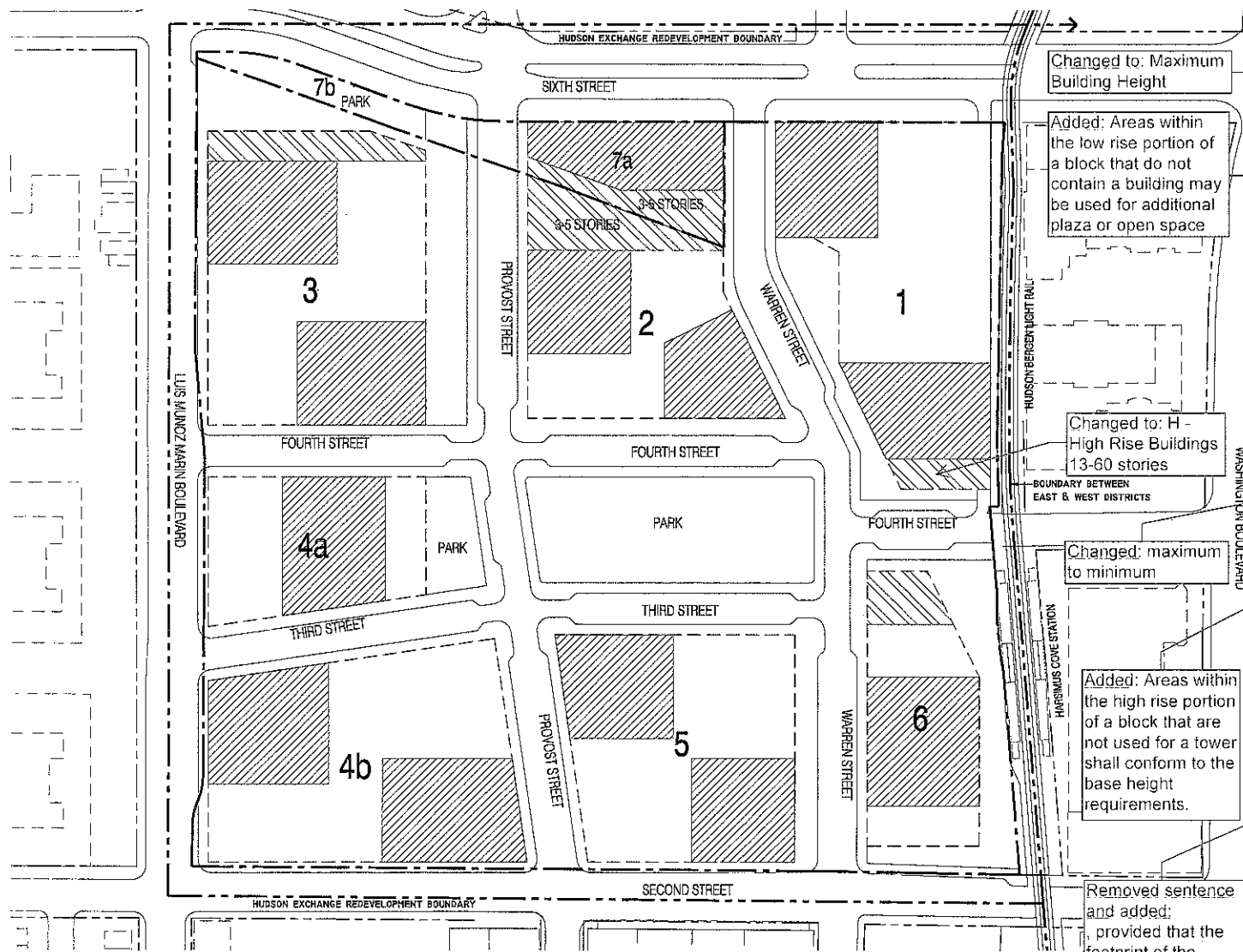
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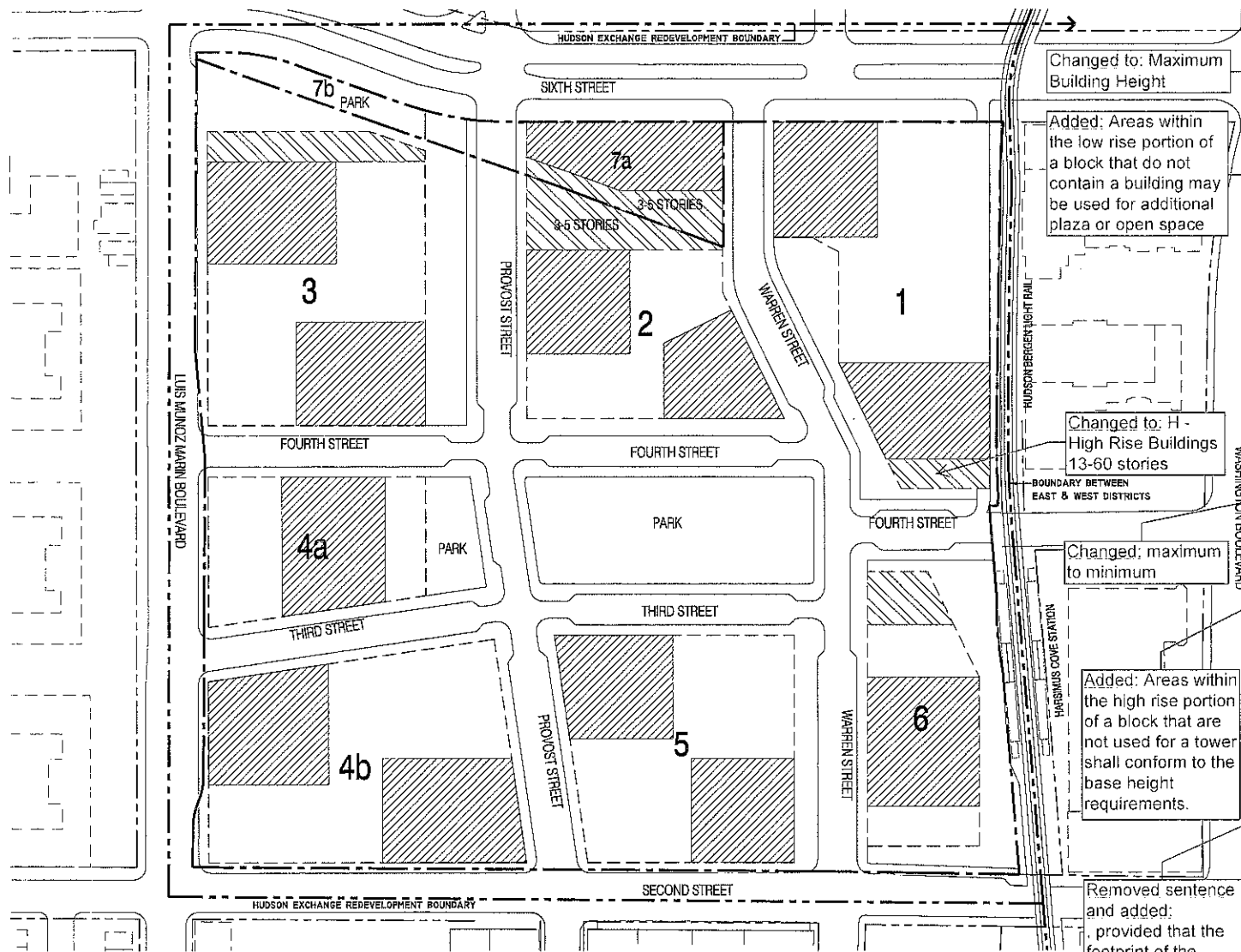
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


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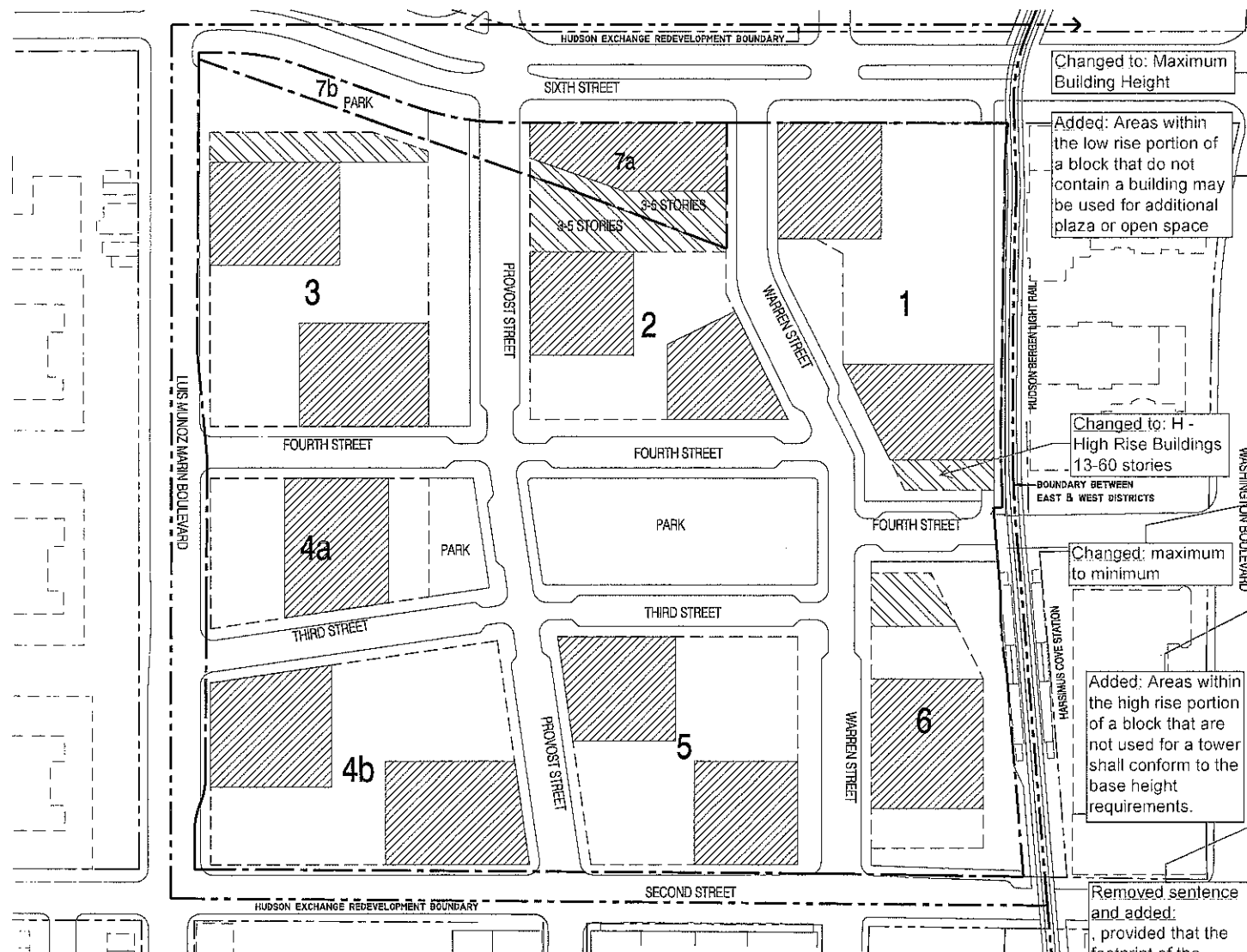
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HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

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Date: September 15, 2014






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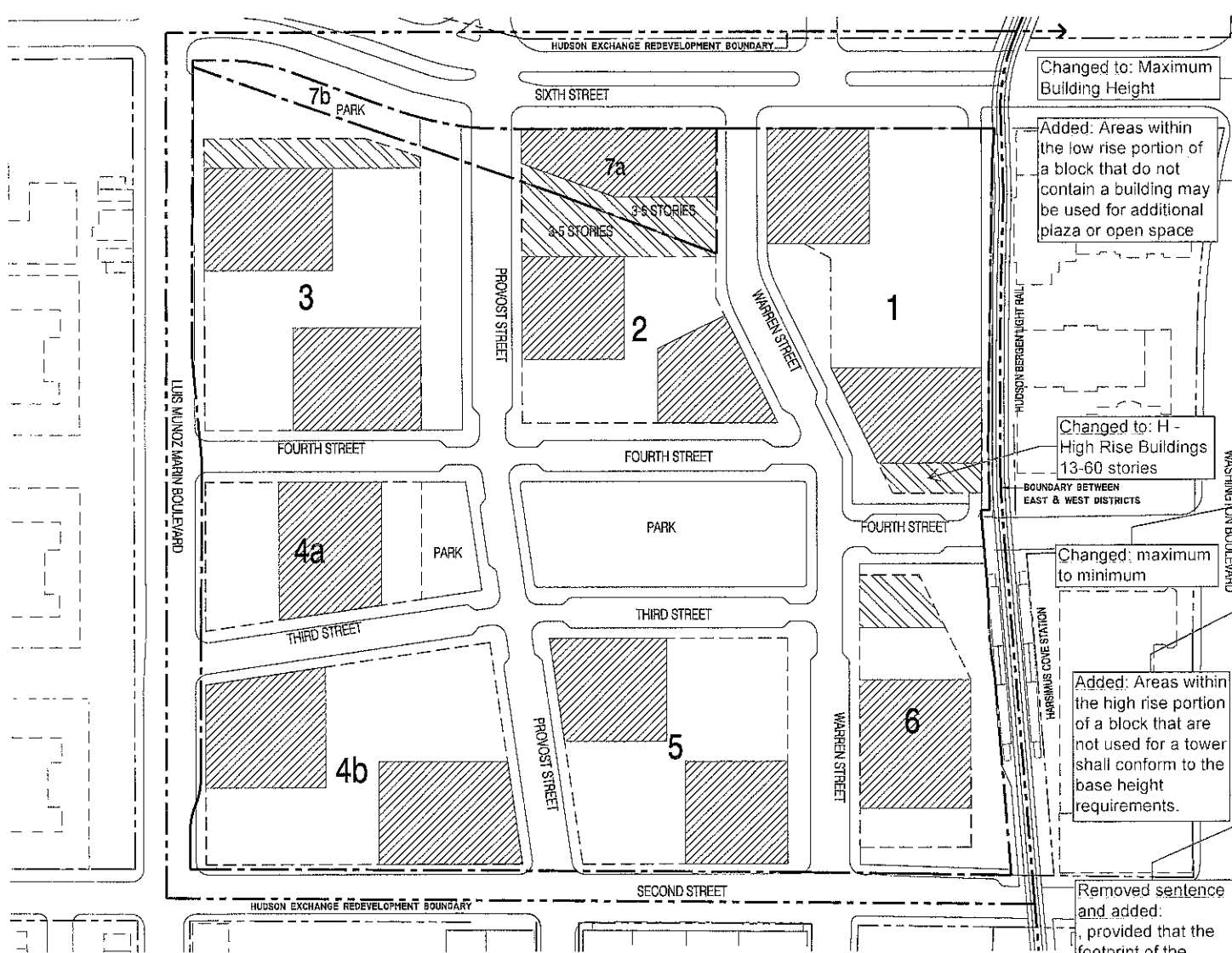
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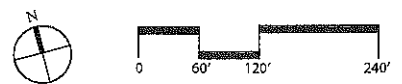
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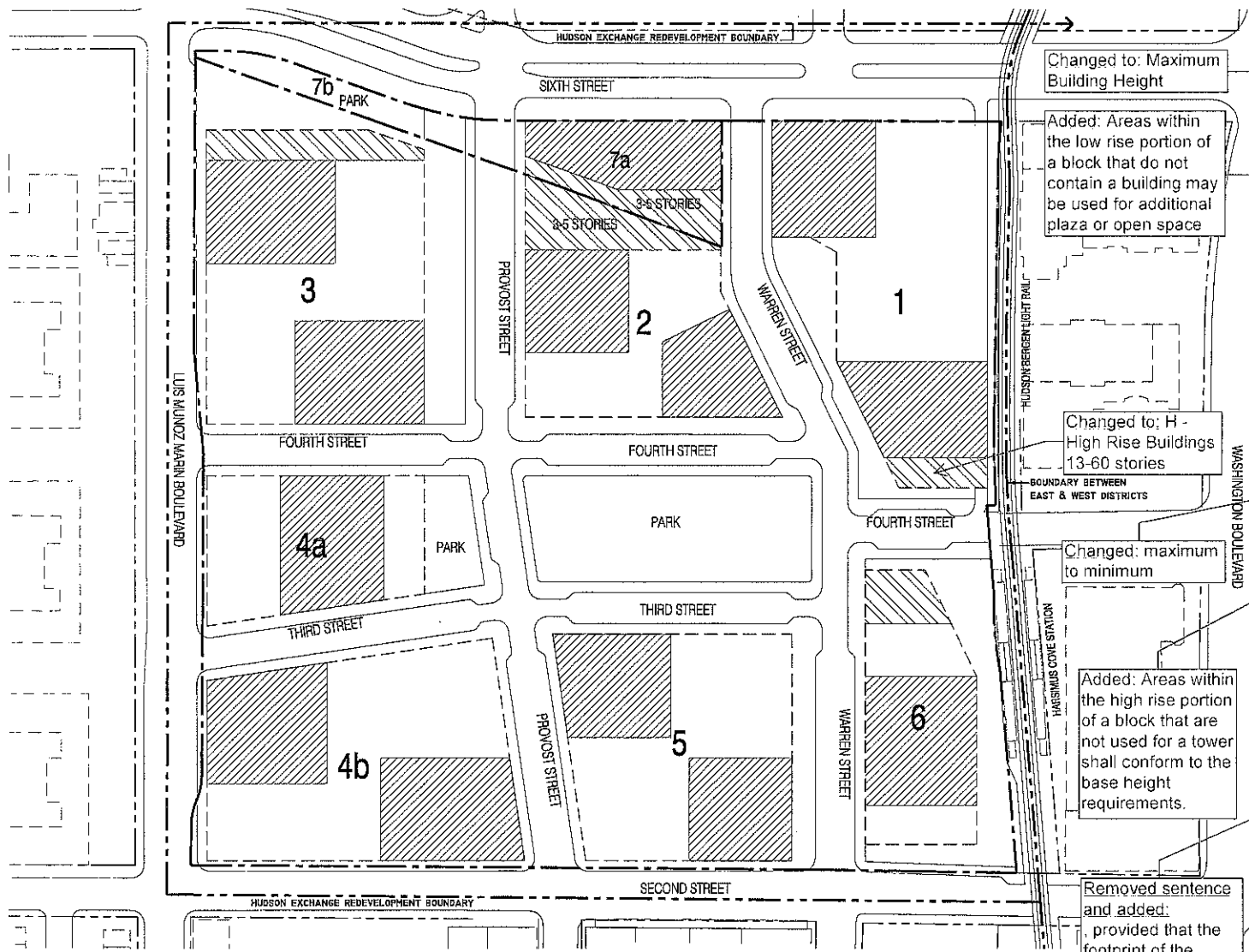
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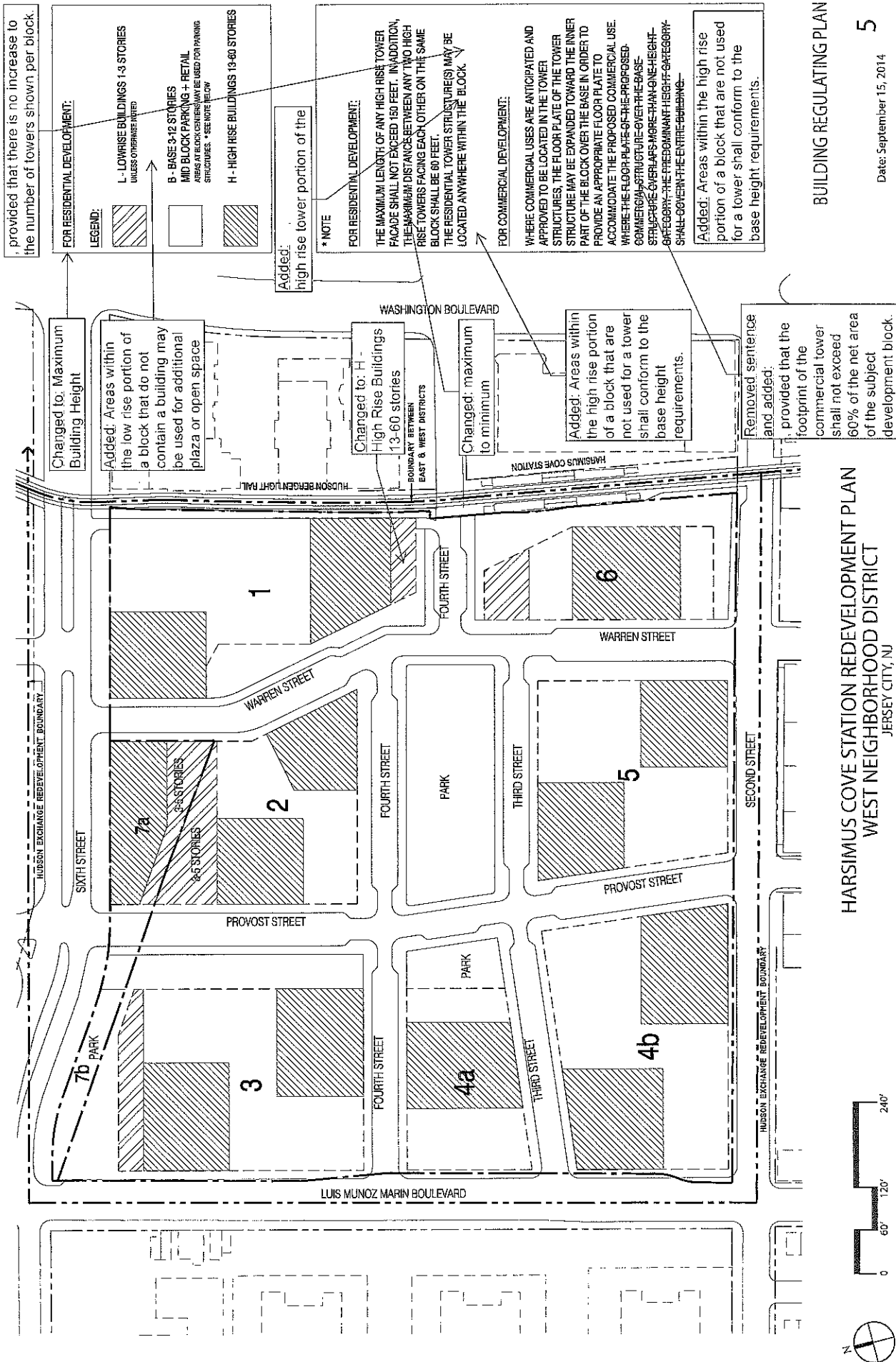
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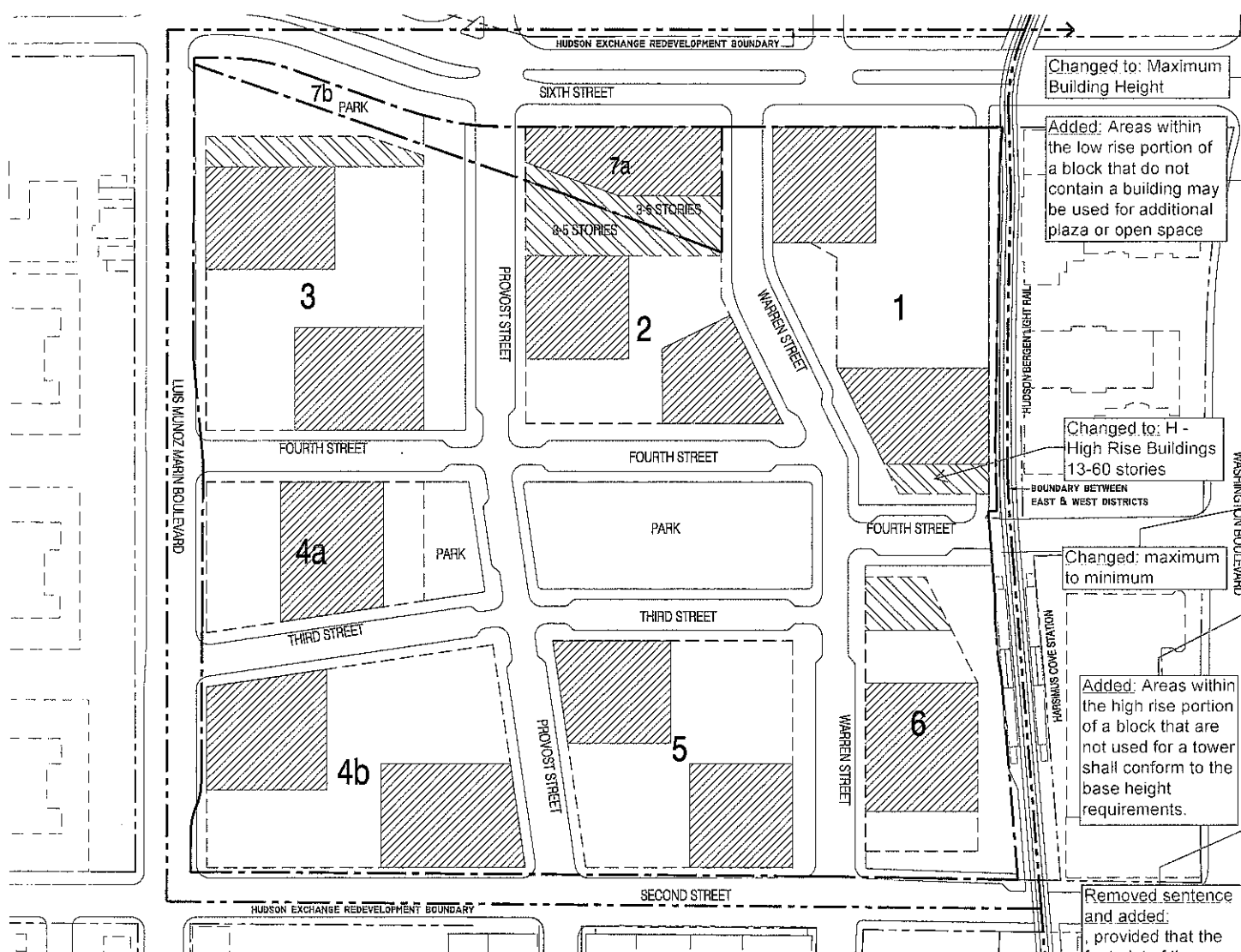


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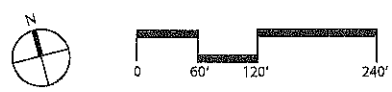
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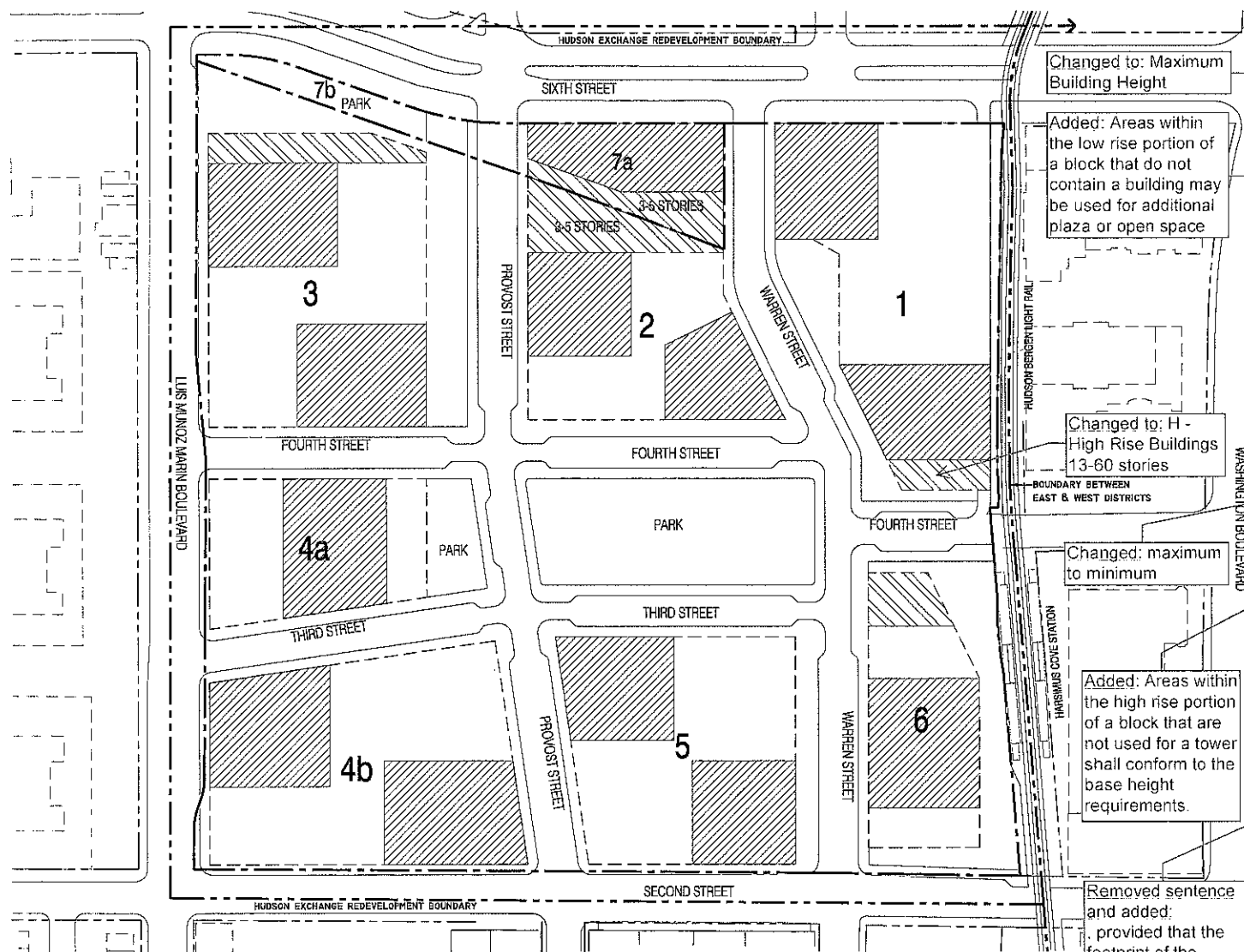
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BUILDING REGULATING PLAN

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

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HARSIMUS COVE STATION REDEVELOPMENT PLAN WEST NEIGHBORHOOD DISTRICT JERSEY CITY, NJ

BUILDING REGULATING PLAN

Date: September 15, 2014

H.R.

Ordinance of the City of Jersey City, N.J.


 ORDINANCE NO. Ord. 17-082
 TITLE: 3.K JUN 14 2017 4.J

JUN 28 2017

4.L. JUL 19 2017

Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Harsimus Cove Station Redevelopment Plan to alter the building regulating plan map and intensity summary table of the West Neighborhood District.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 5-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>WATTERMANN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

KATHRYN MOORE

Tabbed 5-0 after the close of the public hearing on a motion by Rivera, seconded by Boggiano; Gajewski, Gadsden, Osborne and Lavarro: absent

Removed 9-0 from the tabbed agenda for consideration on a motion by Lavarro seconded by Osborne

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUL 19 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 14 2017
 Adopted on second and final reading after hearing on JUL 19 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 19 2017

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUL 19 2017

APPROVED:

Steven M. Fulop, Mayor

Date JUL 20 2017Date to Mayor JUL 20 2017